

The Alleghany County Board of Commissioners met in regular session on Monday, March 21, 2005, at 10:00am in the Conference Room of the County Office Building, 90 South Main Street, Sparta, North Carolina.

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

Vice-Chair Warren Taylor called the meeting to order.

Commissioner Ken Richardson opened the meeting with a prayer.

Vice-Chair Warren Taylor stated that closed session under 143-318.11 (a) (4) — economic development and a discussion about variance procedures under County Business needs to added to the agenda.

Commissioner Sandy Carter Herndon made a motion to approve the amended agenda for this March 21, 2005, meeting. Commissioner Graylen Blevins seconded the motion. Vote 4:0.

AGENDA  
Monday, March 21, 2005  
10:00 AM

- 10:00 Meeting Called To Order  
Motion on Agenda for March 21, 2005 meeting  
Motion on Minutes for March 7, 2005 meetings
- 10:05 Rita Miller  
RE: Tax Releases & Refunds
- 10:10 John Kennedy  
RE: Mobile Home Ordinance
- 10:20 Mike Tompkins  
RE: FY 05/06 CJPP Grant
- 10:30 Linda Hash  
RE: Soil and Water Vehicle
- 10:45 Gerald Leftwich  
RE: LEPC Annual Report
- 10:55 Sandy Ashley  
RE: Annual DSS Report and Community Child Protection Team Report
- County Business
1. Home & Community Care Block Grant
  2. FY 05/06 Budget Timeline
  3. Lottery Resolution
  4. Variance Procedures (added)
  5. School Discussions
  6. Other Business
  7. Public Comments—30 minutes
  8. Closed Session—NCGS 143-318.11 (a) (4)—economic development (added)
  9. Adjourn

Commissioner Sandy Carter Herndon made a motion to approve the minutes for the March 7, 2005, meeting. Commissioner Graylen Blevins seconded the motion. Vote 4:0.

Mary Walker, Tax Administrator, presented the February 2005 real property requests in the amount of \$194.68 for refunds and \$716.75 for releases.

Commissioner Sandy Carter Herndon made a motion to approve the February 2005 real property requests in the amount of \$194.68 for refunds and \$716.75 for releases. Commissioner Graylen Blevins seconded the motion. Vote 4:0.

Mary Walker presented the February 2005 automobile requests in the amount of \$128.79 for refunds and \$2,470.66 for releases.

Commissioner Sandy Carter Herndon made a motion to approve the February 2005 automobile requests in the amount of \$128.79 for refunds and \$2,470.66 for releases. Commissioner Graylen Blevins seconded the motion. Vote 4:0.

Mary Walker presented a vehicle tax appeal for 2000 Ford Windstar. She stated the assessed value is \$7,620, appraised value is \$5,480, and her recommendation is \$6,675 based upon Black Book, retail, average condition.

Commissioner Sandy Carter Herndon made a motion to approve the Tax Administrator's recommendation of \$6,675 for the 2000 Ford Windstar. Commissioner Warren Taylor seconded the motion. Vote 4:0.

Mary Walker asked the Board about dates for the Board of Equalization and Review; possibly April 19 or 21.

The Board of Commissioners talked about the dates for Board of Equalization and Review and decided on April 19 at 6:30pm.

John Kennedy passed pictures around to the Board showing a 1972 mobile home he purchased. He explained the amount of money he has in the mobile home; \$3,500. He stated that he wasn't aware of the ordinance restricting older mobile homes. He explained the costs he has in the mobile home.

Jeff Cornett, Building Inspector, stated that he didn't look on the inside of the trailer; he was looking for the HUD sticker and didn't find it. He explained the reasons for the UL\HUD sticker. He stated that if any trailer doesn't have a UL or HUD sticker, power can't be hooked up. He explained that HUD could re-inspect the trailer to issue a sticker.

Commissioner Sandy Carter Herndon asked if this is a State law or County ordinance.

County Attorney Donna Shumate explained the County ordinance and talked about State laws being in violation if the County ordinance was met.

John Kennedy asked if he can keep the trailer and use it for storage.

Commissioner Warren Taylor talked about if the Board did agree, and then the Board would be in violation.

Commissioner Sandy Carter Herndon asked about the importance of the 1976 date.

Jeff Cornett explained the aluminum wiring in mobile homes. He explained building the mobile home to safety standards.

County Manager Don Adams talked about the two reasons for passing this ordinance; safety and surrounding counties passing the same type of ordinance.

Commissioner Warren Taylor and Jeff Cornett talked about what options are available for Mr. Kennedy.

Commissioner Graylen Blevins and Jeff Cornett talked about the UL sticker and State law.

Commissioner Sandy Carter Herndon talked about if it doesn't have a UL sticker, it must leave the County.

County Attorney Donna Shumate explained the purpose of the County ordinance.

Jeff Cornett reviewed the North Carolina General Statutes regarding electricity and mobile homes. He stated that after conversations with the State, the State said that the trailers must have a HUD or UL sticker. He gave examples. He talked about the County ordinance.

Commissioner Warren Taylor stated that electric service can't be provided for this trailer. He talked about granting a variance and if a variance is granted, that action will open the door for any junk trailers to come into Alleghany County.

Commissioner Sandy Carter Herndon stated that she hated that Mr. Kennedy spent the money but agrees with Commissioner Taylor. She talked about the Board not having a recourse for granting a variance. She reiterated the fact about this is a State law.

Commissioner Graylen Blevins talked about not having any options with the code book.

Jeff Cornett talked about it is against the law to sell a trailer that doesn't have a UL/HUD sticker, so Mr. Kennedy may be able to get his money back.

John Kennedy asked where he could take the trailer. He stated that he bought it from an individual.

Commissioner Sandy Carter Herndon stated that if Mr. Kennedy can't get his money back, can't set it up, then he can demolish it or take to a County that doesn't have this type of ordinance.

Jeff Cornett talked about taxes being paid on it in Ashe County and being able to take it back to Ashe County.

John Kennedy asked if he can burn it.

County Manager Don Adams stated that he isn't sure. He gave examples of not being able to burn structures. He further stated that Mr. Kennedy would have to see Nyla Duncan or the Sheriff about obtaining a burning permit.

Commissioner Warren Taylor stated that the Board's hands are tied. He asked Mr. Kennedy to continue working with Jeff Cornett, Don Adams, and the Sheriff's Department before tearing it down.

Mike Tompkins presented the 2005/06 Criminal Justice Partnership Program (CJPP) grant application. He explained the program. He stated the amount is \$36,799 for 05/06. He further explained the program. He talked about a change in the process of assigning people to the CJPP. He stated that the State will be screening people before they come to New River Behavioral Healthcare (NRBH) instead of NRBH performing the evaluations.

Pam Andrews said that change went in effect during 2004.

Mike Tompkins gave an example of ways the program has worked in the past.

Commissioner Sandy Carter Herndon talked about NRBH not being able to work with clients to be able to refer them for other services.

Mike Tompkins said that they are only dealing with the people that are sent to them.

County Manager Don Adams talked about major changes for next year.

Mike Tompkins continued to review the grant application.

County Attorney Donna Shumate left the meeting at 10:40am.

Commissioner Warren Taylor asked how this grant money is compared to last year.

Mike Tompkins stated that it is the same as last year. He explained the history of the money.

County Manager Don Adams explained changes for 2005/06 that was brought to his attention 1½ weeks ago. He talked about how the funding has been spent in the past with the County receiving the money then 2/3 of money goes to NRBH for administrative expenses and the remaining goes to providing the services. He stated that NRBH serviced five clients this year due to the task screening process.

Mike Tompkins explained the most served by the CJPP has been 28.

County Manager Don Adams talked about the administrative part of the grant, paperwork load being the same, changes from the State service mandating all of the money must be spent on providing services expect 10%.

Pam Andrews stated the new requirements would allow a maximum of \$7,000 on the administrative side.

County Manager Don Adams NRBH will offer the services but can't provide the administrative support. He reviewed the options of applying for this grant. He talked about if NRBH can operate the way they have been then they are willing to continue the program, but if they have to follow the new guidelines they won't be able to provide the administration portion.

Commissioner Sandy Carter Herndon if funding is available, would NRBH continue to provide the administrative side.

Pam Andrews said yes they would.

Commissioner Sandy Carter Herndon what about if no money is received then the program stops operation.

Pam Andrews explained that they will continue to offer the services but can't handle the administrative portion.

County Manager Don Adams talked about the client will have to pay for the service.

Pam Andrews and Mike Tompkins talked about guidelines for fees to be charged. He talked about people being responsible for their services.

Commissioner Sandy Carter Herndon asked what this will do to the client.

Pam Andrews stated that NRBH will continue to provide the service.

County Manager Don Adams talked about NRBH taking existing staff and increasing their workload to cover the CJPP workload, don't know what impact this will have on the staff to not have the CJPP workload. He talked about the second concern is taking away the guaranteed payments from the grant.

Commissioner Sandy Carter Herndon talked about the screening process and not finding out the need in the community.

Commissioner Warren Taylor asked if the CJPP Board approved to send in the application.

Pam Andrews stated that the State may approve the money but come back and request to work on the billing side.

Commissioner Sandy Carter Herndon made a motion to submit the application as presented on the old basis. Commissioner Ken Richardson seconded the motion. Vote 4:0.

County Manager Don Adams informed the Board that he is planning on having discussions with key people concerning the timing on this application.

Linda Hash, Soil and Water Office Manager, handed out information about bids received for a vehicle. She explained the need for a vehicle in the Soil & Water office. She explained why the Federal vehicle was reassigned to another county and the chances of the Federal position being filled. She talked about David Tucker from Ashe County is coming over to Alleghany to help with the workload with one person from Wilkes County coming one day a week to help, also. She explained the department's current workload. She reviewed the money coming to the County for the farms. She reviewed the quotes from three dealers. She talked about the Soil & Water Board decided to provide ½ of the purchase price with \$4,000 payable this year and \$2,000 per year for the next 2-3 years. She described problems they experienced in driving the 1994 Ford Bronco.

County Manager Don Adams, Gerald Leftwich and Linda Hash discussed the condition of the Bronco. Mrs. Hash discussed the need for a safe vehicle.

Commissioner Sandy Carter Herndon and Linda Hash discussed the quotes from three dealers; two inside the county and one outside.

Linda Hash talked about the quotes she has received, people going with them on the job

site, pickup price would increase by \$200 for a tool box and the need to get close to the job site.

The Board, County Manager Don Adams and Linda Hash discussed the quotes. Commissioner Sandy Carter Herndon talked about approving the amount of money and letting the department decide what vehicle to purchase. Mrs. Hash talked about their requests.

Commissioner Sandy Carter Herndon made a motion to approve a vehicle to cost no more than \$18,000-\$19,000 and the vehicle to be decided upon by the department.

County Manager Don Adams talked about adding taxes and title fees.

Commissioner Sandy Carter Herndon amended the motion to set the amount at \$16,000 to \$19,000 for the purchase of a Soil & Water vehicle. Commissioner Warren Taylor seconded the motion. Vote 4:0.

Gerald Leftwich, Emergency Management Coordinator, presented the annual Allegheny County Local Emergency Planning Committee report. He stated that Jimmy Church and Bryan Edwards need to be appointed to this committee.

Commissioner Ken Richardson made a motion to appoint Jimmy Church and Bryan Edwards to serve on the LEPC. Commissioner Sandy Carter Herndon seconded the motion. Vote 4:0.

Gerald Leftwich reviewed the highlights of the LEPC report. He talked about activities coming up in the near future for training exercises. He talked about updating the Emergency Operations Plan. He stated that George Stancil needs to be added to replace Bob Edwards on the Animal Response Team.

Sandy Ashley, Social Services Director, presented the annual Community Child Protection Team/Child Fatality Prevention Team report for 2004. She reviewed the highlights of the report. She stated that they are asking the Board to advocate on the State level for additional child-daycare funds and consider a request for funding from the Family Resource Center to facilitate the expansion and improvement of their parent education classes.

Commissioner Ken Richardson talked about the challenges of serving on these teams.

Sandy Ashley presented the annual Social Services report. She reviewed the accomplishments for 2004 and goals for 2005.

Commissioner Warren Taylor stated his appreciation for Sandy Ashley's efforts.

County Manager Don Adams presented a letter from Janis Fender requesting Allegheny Council on Aging be reappointed as Allegheny County's Home and Community Care Block Grant Lead Agency. He explained that she is asking for the following people to be appointed to the advisory board for the grant; Pat Polly, and George Stancil replacing Carmen Long. He explained the Block Grant.

Commissioner Sandy Carter Herndon made a motion to reappoint Council on Aging as the Lead Agency for the Home and Community Care Block Grant and approve the following people to serve on the committee; Pat Polly, and George Stancil replacing Carmen Long. Commissioner Graylen Blevins seconded the motion. Vote 4:0.

County Manager Don Adams stated that the budget discussions will be put on the next agenda.

County Manager Don Adams presented a resolution in support of the lottery if the lottery is placed on a referendum.

Commissioner Ken Richardson talked about changes in Raleigh since our last meeting and the General Assembly not putting it on a referendum. He further talked about sending the resolution to Raleigh to show our legislators our support of the lottery.

Commissioner Warren Taylor made a motion to approve the resolution as presented by the County Manager. Commissioner Sandy Carter Herndon seconded the motion. Vote 4:0.

County Manager Don Adams explained the variance procedures for hearing variance requests. He asked the Board how they want to handle the variance requests during the meeting.

Commissioner Ken Richardson stated that he thinks it should be a separate meeting like the Board of Equalization and Review.

Commissioner Warren Taylor agreed with Commissioner Richardson and expressed his opinion on the time factor during a regular meeting.

Commissioner Ken Richardson talked about setting a precedent.

Commissioner Ken Richardson asked if the decisions on variance requests have to be unanimous or majority. He stated that he thinks it is a good idea for the Board to refresh themselves about the issues before the meeting.

County Manager Don Adams talked about three issues that need some interpretations. He explained things that may be coming before the Board.

Commissioner Warren Taylor talked about the first consideration of variances, and the Board must be very careful about not setting a precedent.

County Manager Don Adams gave reasons for the verbatim minutes during variance meetings and most decisions would be on a case-by-case basis because no two cases will be exacting the same.

Commissioner Sandy Carter Herndon agreed about having separate meetings for variance hearings.

County Manager Don Adams asked for different ideas about holding the meetings.

Commissioner Warren Taylor stated that he thinks the variance meetings should be evening hours like Board of Equalization and Review. He asked the County Manager to contact everyone with a date.

The Board of Commissioners discussed dates to hold the meetings and decided on the second Tuesday or Thursday, preferably Tuesday.

Vice-Chair Warren Taylor called for a brief recess at 12:11pm.

Commissioner Ken Richardson informed the Board that he spent Friday in Raleigh working on Mental Health issues.

Charlie Scott stated that starting next month on the second Sunday each month there will be a community concert at the Methodist Church. He explained that it is free for the community and any love offering going to the music groups.

Vice-Chair Warren Taylor called for a lunch recess at 12:19pm until 1:15pm.

Vice-Chair Warren Taylor stated that after further discussions with the County Manager, the closed session section should be before finishing the agenda.

Commissioner Sandy Carter Herndon made a motion to enter into closed session at 1:21pm under NCGS 143-318.11 (a) (4)—economic development. Commissioner Ken Richardson seconded the motion. Vote 3:0.

Commissioner Graylen Blevins joined the meeting at 1:30pm.

Commissioner Sandy Carter Herndon made a motion to adjourn closed session and reconvene the regular meeting at 1:48pm. Commissioner Ken Richardson seconded the motion. Vote 4:0.

Vice-Chair Warren Taylor stated that no action was taken during closed session.

County Manager Don Adams reiterated the four options presented at the meeting with the Board of Education on March 14.

Commissioner Sandy Carter Herndon and Commissioner Warren Taylor talked about Option C's price not including the space for the early childhood program. Commissioner Herndon talked about additional costs for all of the options.

The Board talked about the number of students at Glade Creek Elementary School and Piney Creek Elementary School in the 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> grades.

Commissioner Ken Richardson talked about the financing side of the school facilities and the decision must be placed on a bond referendum.

Commissioner Warren Taylor and Commissioner Ken Richardson continued talking about their support for the bond-referendum idea.

Commissioner Warren Taylor asked if this Board needs to decide which option is the best.

Commissioner Ken Richardson stated that he thinks that it is the School Board's decision.

Commissioner Graylen Blevins talked about our Board is where we want to be and the Commissioners part is the financing.

Commissioner Warren Taylor and Commissioner Ken Richardson talked about they think the high school construction was on a bond in the mid-1960's. Commissioner Richardson talked about

the two bonds that he remembers; Jail Bond and Sparta Elementary School Bond.

Commissioner Ken Richardson talked about the bond referendum is a one-shot deal for whatever option is chosen by the Board of Education. He stated that the bond should get the school situation fixed for several years instead of coming the Commissioners every couple of years with construction needs.

Commissioner Warren Taylor talked about the comments from the audience last week being they wanted the best thing for the children. He talked about the difference in the tax rates for the different options.

Commissioner Sandy Carter Herndon explained that she agrees with Commissioner Richardson about doing something for the long term and quit the quick fixes.

Commissioner Warren Taylor talked about the previous project at the high school was thought to fix the needs for a long time, but the meeting last week the Board heard comments otherwise about not planning correctly.

Commissioner Graylen Blevins talked about this needing a secure plan before placing anything on a bond. He further talked about trying to make sure everyone is happy before going to the bond.

County Manager Don Adams stated that this type of discussion will answer a lot of questions if the Board decides that nothing has been presented to do an installment-purchase plan versus a referendum. He talked about the need for direction to go forwards with a bond with a marketing plan from the Board of Education.

Commissioner Graylen Blevins stated that the Commissioners are elected to serve the public and will the Commissioners have to market the bond.

Commissioner Graylen Blevins and County Manager Don Adams talked about the Board supporting the bond and the Board of Education marketing the concept for the bond.

Commissioner Warren Taylor talked about if the General Assembly would give the counties the additional cigarette tax revenues that might be able to finance with an installment-purchase plan.

Commissioner Ken Richardson talked about the \$5,000,000 package for Sparta Elementary School only, wouldn't pass, and a \$10,000,000 to \$12,000,000 package for all elementary schools would have a greater chance of passing in a referendum. He stated that he thinks all three schools should be looked at with updating all elementary schools or updating PK-5 and create a middle school. He stated that he didn't like Option D because of space issues for that number of children.

Commissioner Sandy Carter Herndon talked about Glade Creek Elementary School and Piney Creek Elementary School water and sewer needs and adding money to the estimates for the utilities at each school. She stated that any plan that doesn't include monies to repair the utilities, she cannot support.

Commissioner Warren Taylor talked about when changing plumbing, heating, et cetera more problems are created.

Commissioner Ken Richardson reminded everyone that the high school had bathroom issues during the last renovation.

Commissioner Graylen Blevins talked about the drawing shown for additional property showing the parking on land that hasn't been purchased or optioned.

Commissioner Ken Richardson asked for a status on the bus garage.

Commissioner Sandy Carter Herndon stated that the bus garage plans have been completed, and the Commissioners have approved the money.

The Board talked about school-owned property on the drawing, optioned property, the drawing of the proposed school property.

Commissioner Warren Taylor and Commissioner Sandy Carter Herndon talked about other construction needs on the options.

Commissioner Sandy Carter Herndon mentioned that Piney Creek Elementary School needs a gym and Glade Creek Elementary School needs the early childhood rooms.

Commissioner Graylen Blevins asked about additional programs and having free space.

Commissioner Warren Taylor talked about the ADM numbers from the low wealth funding.

County Manager Don Adams stated that the ADM count has increased 18-24 students over 10 years.

Commissioner Warren Taylor talked about the needs are for more programs instead of school-population growth. He further talked about the bond that was passed for the State community colleges/universities a few years back for construction financing. He thinks this is the place for the extra cigarette tax revenues.

Commissioner Graylen Blevins asked where ABC money goes.

County Manager Don Adams explained that the fines and forts goes to the Board of Education.

Commissioner Ken Richardson discussed a letter from the NCACC entitled "Understanding County Governance in Our Public Education System" on April 6 in Catawba County. He stated that he will attend this meeting and others might want to consider it when they receive the letter.

County Manager Don Adams stated that the Board of Education will be bringing up the option on the Blevins property and the architect fees at the next meeting. He talked about the next step will be spending a lot of architect fees in order to get answers to the questions that has been discussed.

Commissioner Ken Richardson talked about the architect money spent on the gym project being fronted by the school and then came to the County for reimbursement. He talked about bills being introduced every year for schools to have taxing authority.

Commissioner Warren Taylor stated that he thinks it needs to be a joint effort between both

groups regarding the architect fees.

Commissioner Ken Richardson stated that a decision should be made before spending a lot of money on architect fees.

Commissioner Sandy Carter Herndon stated that she concurs with a bond referendum and won't vote on this size of a tax increase without having input from the public by going with a referendum. She asked how much tax money are we talking about for a \$12,000,000.

County Manager Don Adams stated that for a \$10,500,000 project with a payment of \$1,050,000 on a bond interest rate would be about 11 cents. He explained the difference in the tax rate considering the length of the term and installment-purchase or bond being from 10 to 13 cents. He explained the differences between a bond and installment-purchase.

Commissioner Ken Richardson talked about the last renovations, including the high school, was 3 cents.

Commissioner Sandy Carter Herndon talked about if the Board decides to do a bond referendum; she thinks the Board should take a look at putting the library's needs in the same bond. She talked about the library needs. She stated that she would like the Board to think about adding the library to the bond.

Commissioner Warren Taylor talked about the more things you add to the bond; the least likely it will be passed.

Commissioner Ken Richardson stated that the estimated cost for the library is \$1,000,000.

Commissioner Sandy Carter Herndon talked about the library and the schools are sort of related. She talked about agreeing on a bond referendum and holding meetings at the two other elementary schools.

Commissioner Warren Taylor talked about the need, select the best possible plan and market the plan to the community.

Commissioner Graylen Blevins talked about most of the talking from last week's meeting was about cutting programs from the school system. He further talked about the need to get focused internally and most parents will do the best thing.

County Manager Don Adams talked about most conversations stayed along functions and planning but issues were brought up that must be addressed; busing, operational component, administration and a separate cafeteria. He further talked about everyone should look at the building cost but also need to look at follow-up costs. He pointed out that voting on a bond referendum would be for construction of the project, and everyone needs to understand the costs of the operations will continue.

Commissioner Sandy Carter Herndon talked about the State will provide a principal but additional staff will be needed.

County Manager Don Adams talked about it gets more complicated when looking at the staffing needs concerning the new programs.

Commissioner Graylen Blevins mentioned the traffic problems. He asked if Department of Transportation could get involved with assisting in the traffic problems.

Commissioner Warren Taylor stated that he isn't sure if Department of Transportation could do that. He asked does the Town or schools own the road.

County Manager Don Adams stated that he isn't sure who owns the road. He talked about the Town gets money to maintain town roads with the State providing maintenance on the main roads in the Town; Highway 21 and 18.

Commissioner Warren Taylor mentioned that help might be available from the from Rural Transportation Planning Organization

Commissioner Graylen Blevins talked about the amount of traffic now.

County Manager Don Adams stated that he will call the Town, Department of Transportation, and the Rural Transportation Planning Organization about this problem.

Vice-Chair Warren Taylor asked for public comments. None were received.

Being no further business, Vice-Chair Warren Taylor recessed the meeting at 2:45pm until 6:00pm on Tuesday to meet with the Board of Education.

Respectfully Submitted,

Karen Evans  
Clerk to the Board

Attest:

Eldon Edwards  
Chairman