

The Alleghany County Board of Commissioners met in regular session on Monday, May 2, 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 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 called the meeting to order.

Commissioner Graylen Blevins opened the meeting with a prayer.

Commissioner Warren Taylor made a motion to approve the agenda for this May 2, 2005, meeting. Commissioner Graylen Blevins seconded the motion. Vote 5:0.

AGENDA  
Monday, May 2, 2005  
6:30 PM

- 6:30 Meeting Called To Order  
Motion on Agenda for May 2, 2005 meeting  
Motion on Minutes for April 18, 2005 meeting
- 6:35 Public Hearing  
RE: E-911 Road Names
- 6:40 Amy Pardue  
RE: Cell Tower Application
- County Business
1. Reminder of Joint Water Authority Public Hearing
  2. Courthouse Reimbursement Resolution
  3. Courthouse Architect Contract
  4. Alleghany/Ashe Counties Lines
  5. TIP Discussion
  6. Proposed Lease Agreement : Library Board
  7. Land Use Discussion
  8. Other Business
  9. Public Comments—30 minutes
  10. Closed Session—NCGS 143-318.11 (a) (3)—Legal  
NCGS 143-318.11 (a) (4)—Economic Development  
NCGS 143-318.11 (a) (5)—Contracts  
NCGS 143-318.11 (a) (6)—Personnel
  11. Adjourn

Commissioner Sandy Carter Herndon made a motion to approve the minutes for the April 18, 2005 meeting. Commissioner Graylen Blevins seconded the motion.

Commissioner Ken Richardson asked about adding another race track letter to those minutes. The Board of Commissioners agreed to attach the letter to today's minutes.

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

County Manager Don Adams presented one road name for approval. He explained where the road is located in the County, and the Fire Chief has given his approval on this name.

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 Graylen Blevins made a motion to approve the E-911 road name as presented by the County Manager. Commissioner Warren Taylor seconded the motion. Vote 5:0.

Amy Pardue, Planner/Recreation Director, came before the Board to present a wireless communication tower request for Carolina West Wireless in the Pine Swamp community. She explained the special-use permit, and the request meets and exceeds the ordinance requirements.

County Manager Don Adams and Joel McMillan, Carolina West Wireless, discussed the tower falling on adjoining property and the tower design.

Commissioner Warren Taylor, Chair Eldon Edwards, County Manager Don Adams and Joel McMillan discussed additional tower sites that will be added within the next 90-120 days to improve reception.

County Manager Don Adams talked to the Board about the definition of a major mountain ridge in the ordinance as defined as 3000 feet or 500 feet above the adjacent valley floor. He explained that the State laws says the definition is 3000 feet and 500 feet above instead of or. He talked about the need to clarify the definition in the ordinance soon.

Commissioner Sandy Carter Herndon made a motion to approve the tower request by Carolina West Wireless. Commissioner Warren Taylor seconded the motion. Vote 5:0.

County Manager Don Adams and Joel McMillan talked about the new Push to Talk technology.

Commissioner Warren Taylor and Joel McMillan discussed other providers locating on existing poles.

County Manager Don Adams reminded the Board about the Public Hearing on May 3<sup>rd</sup> at 7:00pm at Sparta Town Hall for the Joint Water Authority. He talked about the documents that will be presented then.

Commissioner Warren Taylor updated the Board on the activities of the Joint Water Authority.

County Manager Don Adams presented the reimbursement resolution for the courthouse project. He explained the purpose of the resolution.

Commissioner Warren Taylor made a motion to approve the resolution as presented by the County Manager. Commissioner Sandy Carter Herndon seconded the motion. Vote 5:0.

County Manager Don Adams presented the architect contract with Hemphill Associates for the courthouse project. He reviewed the contract highlights including the price of the contract is \$99,000.

The Board of Commissioners and County Manager Don Adams discussed the percentage of contract in relation to the construction costs.

Commissioner Sandy Carter Herndon made a motion to approve the architect contract.

Commissioner Ken Richardson asked if the courthouse project has been approved by the Board.

County Manager Don Adams gave a brief history of the process and decisions regarding renovating the courthouse and administration building.

Commissioner Warren Taylor seconded the motion on the floor. Vote 5:0.

County Manager Don Adams summarized the actions needed to move county boundary lines.

The Board of Commissioners and County Manager Don Adams discussed Fred Hart's request, writing letters to Ashe County and their legislators, who's responsible for the survey work and this action opening the door for other county-line issues.

Chair Eldon Edwards stated that he will talk to Ashe County to find out whether they are interested in moving the Alleghany-Ashe county line in regards to Mr. Hart's request.

County Manager Don Adams mentioned the TIP meeting with the Department of Transportation on May 17. He reviewed the previous plan's comments and stated that Roaring Gap Mountain will be added to the comments. He stated that he will be bringing the TIP comments to the next meeting for additional comments.

The Board of Commissioners and County Manager Don Adams discussed adding the intersection of Highway 18 North and Halsey Street as a safety concern.

Commissioner Ken Richardson stated that he is planning on attending this meeting along with Commissioner Taylor.

Commissioner Warren Taylor and County Manager Don Adams talked about Wilkes County adding Roaring Gap Mountain to their TIP comments.

County Manager Don Adams presented the proposed lease agreement between the County and Pathway Therapy Services, LLC to lease a portion of the library property. He reviewed the lease agreement including the price of \$500 per month for a term of one year. He reminded the Board that the lease payments will be put into an account to off-set the purchase price minus any maintenance costs.

Commissioner Ken Richardson made a motion to approve the lease agreement. Commissioner Warren Taylor seconded the motion. Vote 5:0.

County Manager Don Adams reviewed the last couple of meeting where individuals have voiced their support for the Board to adopt land-use regulations.

The Board of Commissioners and County Manager Don Adams discussed the land-use concept. It was the consensus of the Board to have an organizational meeting to start discussing land-use. The Board decided to hold the organizational meeting on Monday, May 16 at 8:30am.

Commissioner Ken Richardson mentioned Senate Bill 913 deals with removing abandoned mobile units and compensating counties up to \$750 for the costs of removing the unit.

Commissioner Ken Richardson stated that he planning to attend the Legislative Reception meeting in Raleigh later this month.

Commissioner Sandy Carter Herndon expressed her support for the abandoned mobile home removal legislation.

Commissioner Warren Taylor talked about additional wording to fund the removal of the mobile homes to enable proper disposal.

Chair Eldon Edwards talked about a bill that gives counties an option for different tax revenues like the land transfer tax.

Commissioner Warren Taylor and Chair Eldon Edwards talked about if the County supports the bill, it doesn't mean the County will enact the taxes.

Commissioner Warren Taylor made a motion to add Alleghany County to the bill about local option land transfer tax. Commissioner Sandy Carter Herndon seconded the motion. Vote 5:0.

Chair Eldon Edwards mentioned the Legislative Reception, and anyone interested in attending to let Karen Evans know.

Chair Eldon Edwards asked for public comments.

George Stancil encouraged the Board to look at agricultural land-use planning. He gave examples.

County Manager Don Adams mentioned that the County has the Farmland Preservation Ordinance in place currently.

Commissioner Warren Taylor made a motion to enter into closed session at 8:03pm under NCGS 143-318.11 (a) (3)—legal, (a) (4)—economic development, (a) (5)—contracts and (a) (6)—personnel. Commissioner Sandy Carter Herndon seconded the motion. Vote 5:0.

The Board of Commissioners took a brief recess.

Commissioner Sandy Carter Herndon made a motion to adjourn closed session and reconvene the regular meeting at 8:58pm. Commissioner Warren Taylor seconded the motion. Vote 5:0.

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

Being no further business, Commissioner Sandy Carter Herndon made a motion to adjourn the meeting at 8:59pm. 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  
DECLARATION OF OFFICAL INTENT TO REIMBURSE

BE IT HEREBY RESOLVED that Alleghany County, North Carolina does hereby adopt the following declaration (the "Declaration") of official intent to reimburse.

This declaration (the "Declaration") is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

The undersigned is authorized to declare the official intent of Alleghany County, North Carolina (the "issuer") with respect to the matters contained herein.

1. **Expenditures to be Incurred.** The Issuer anticipates incurring expenditures (the "Expenditures") to renovate the Alleghany County Courthouse at 12 North Main Street in Sparta, North Carolina.
2. **Plan of Finance.** The Issuer intends to finance a portion of the costs of the Project with proceeds of debt to be issued by the Issuer (the "Borrowing"), the interest on which is to be excluded from gross income for Federal income tax purposes.
3. **Maximum Principal Amount of Debt to be Issued.** The maximum principal amount of the Borrowing to be incurred by the Issuer to finance the Project is currently unknown.
4. **Declaration of Official Intent to Reimburse.** The Issuer hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

Adopted this the 2<sup>nd</sup> day of May, 2005.

