

The Alleghany County Board of Commissioners met in regular session on Monday, October 17, 2005, at 10:00am 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 Sandy Carter Herndon, Commissioner Ken Richardson, County Attorney Donna Shumate, County Manager Don Adams and Clerk to the Board Karen Evans. Commissioner Graylen Blevins was absent.

Chair Eldon Edwards called the meeting to order.

Commissioner Sandy Carter Herndon opened the meeting with a prayer.

Commissioner Warren Taylor made a motion to approve the agenda for this October 17, 2005, meeting. Commissioner Sandy Carter Herndon seconded the motion. Vote 4:0.

#### AGENDA

Monday, October 17, 2005

10:00 AM

- 10:00 Meeting Called To Order  
Motion on Agenda for October 17, 2005 meeting  
Motion on Minutes for September 30 & October 3, 2005 meetings
- 10:05 Mary Walker  
RE: Tax Releases & Refunds
- 10:15 Bryan Starnes  
RE: FY 04/05 Audit Report
- 10:35 Kenneth Miles  
RE: Cherry Lane VFD 5-mile District
- 10:45 NRBH Staff  
RE: FY 05/06 CJPP Funding
- 11:00 Public Hearing  
RE: Courthouse—LGC Application
- 11:15 Glen Wing  
RE: Ropes Course
- 11:30 Amy Pardue  
RE: Major Subdivisions Approval  
Annual Report
- 11:50 Debbie Brewer  
RE: Annual Report  
County Business
1. Reminder Joint Meeting
  2. Budget Amendment—Board of Elections
  3. Extension Service Leave Bonus
  4. Choate Property
  5. Other Business
  6. Public Comments—30 minutes
  7. Adjourn

Commissioner Sandy Carter Herndon made a motion to approve the minutes for the September 30 and October 3, 2005, meetings. Commissioner Warren Taylor seconded the motion. Vote 4:0.

Mary Walker, Tax Administrator, presented the September 2005 real property requests in the amount of \$5,956.66 for refunds and \$519.07 for releases.

Commissioner Sandy Carter Herndon made a motion to approve the September 2005 real property requests in the amount of \$5,956.66 for refunds and \$519.07 for releases. Commissioner Warren Taylor seconded the motion. Vote 4:0.

Mary Walker presented the September 2005 automobile requests in the amount of \$166.48 for refunds and \$1,209.33 for releases.

Commissioner Sandy Carter Herndon made a motion to approve the September 2005 automobile requests in the amount of \$166.48 for refunds and \$1,209.33 for releases. Commissioner Warren Taylor seconded the motion. Vote 4:0.

Mary Walker presented a vehicle tax appeal. She explained that the assessed value is \$9,500, dealer appraised value is \$6,300 and her recommendation is \$6,575. She further explained that her recommendation comes from the Black Book.

The Board of Commissioners and Mary Walker talked about how the recent General Assembly action regarding collection of motor vehicle taxes will affect the Tax Office and the license plate offices. They discussed the vehicle tax collection rate and how logically the collection rate will be close to 100%, rather the current rate of 84%, after the new collection process is in effect.

Commissioner Sandy Carter Herndon made a motion to accept Mary Walker's recommendation on the vehicle appeal. Chair Eldon Edwards seconded the motion. Vote 4:0.

Bryan Starnes, Martin Starnes and Associates, presented the annual financial audit for Fiscal Year 2004/2005. He reviewed the highlights of the audit.

Kenneth Miles, Chief of the Cherry Lane Volunteer Fire Department, came before the Board and presented the 5-mile fire insurance district for Cherry Lane Volunteer Fire Department. He explained that they failed their 9S rating inspection due to map overlay with Glade Creek Volunteer Fire Department. He talked about the need to redo these maps in the near future.

County Manager Don Adams explained how the fire departments are set up with the County and the State.

Commissioner Sandy Carter Herndon made a motion to approve the 5-mile district for Cherry Lane Volunteer Fire Department. Commissioner Warren Taylor seconded the motion. Vote 4:0.

Sandy Walker stated her appreciation for the public support she has received in regards to her work with the NC CERT Team during her deployment to Mississippi.

Sandy Walker presented the CJPP 05/06 budget with the increased amount reflected. She explained that the State reevaluated their formulas for distributing CJPP monies. She further explained that there are increased accountability standards, also.

County Manager Don Adams stated that the Commissioners will be voting on the CJPP 05/06 budget, giving County officials permission to sign the CJPP documentation and approve

budget amendment General Fund #13 in the amount of \$7,360. He explained the budget amendment is budgeting for the additional amount to be received for the CJPP program.

Commissioner Warren Taylor made a motion to approve the budget change, signing CJPP documents and budget amendment General Fund \$13 in the amount of \$7,360. Chair Eldon Edwards seconded the motion. Vote 4:0.

County Manager Don Adams reminded the Board that there is a joint meeting scheduled with the Town Council on October 31 at 7:00pm.

The Board of Commissioners and County Manager Don Adams discussed the location of the meeting.

Commissioner Sandy Carter Herndon made a motion to hold the meeting at the County Office Building. Motion died due to lack of a second.

Commissioner Ken Richardson suggested that since this meeting was originally scheduled at Town Hall that the meeting be held at the Town and then have the next meeting at the new building.

The Board of Commissioners agreed.

County Manager Don Adams presented budget amendment General Fund #12 in the amount of \$1,286 for a public access grant for Board of Elections.

Commissioner Sandy Carter Herndon made a motion to approve budget amendment General Fund #12 in the amount of \$1,286 for the public access grant. Commissioner Warren Taylor seconded the motion. Vote 4:0.

County Manager Don Adams talked about a letter from Joe Zublena concerning State employees receiving a 40-hour leave bonus. He explained that the letter is asking whether Alleghany County wishes to participate. He further explained that this action doesn't require any monies from the County. He talked about how this will affect the Extension Service employees. He explained the documentation that must be returned to the State and the action the County has taken in the past.

Commissioner Ken Richardson made a motion to provide the match for the County-funded portion of the leave bonus and to not accept transfers of bonus leave hours of an employee transferring to the County. Commissioner Warren Taylor seconded the motion. Vote 4:0.

Amy Pardue, Planner, presented a preliminary plat for approval. She explained that this is a 109.6-acre tract being divided into 88 lots. She further explained the location and roads for the proposed subdivision.

Commissioner Ken Richardson made a motion to approve the preliminary plat as presented by the Planner. Commissioner Sandy Carter Herndon seconded the motion. Vote 4:0.

Amy Pardue presented a final plat I for The Woodlands, Phase 5 of Deerwood Park. She explained that this is an 18-acre tract being divided into 16 lots using one private road and private driveway for access.

Commissioner Ken Richardson made a motion to approve the final plat as presented by the Planner. Commissioner Sandy Carter Herndon seconded the motion. Vote 4:0.

Amy Pardue presented a final plat I for The Olde River Club. She explained that this is a 32.17-acre tract being divided into 15 lots. She further explained the location and roads for the subdivision.

Commissioner Warren Taylor made a motion to approve the final plat as presented by the Planner. Commissioner Sandy Carter Herndon seconded the motion. Vote 4:0.

County Manager Don Adams talked about the Choate property, near the Sparta Elementary School, is 1.362 acres for \$25,000. He explained a conversation he has had with the Board of Education regarding attending tonight's meeting. He explained budget amendment General Fund #14 in the amount of \$25,000 for the purchase of the Choate property.

Commissioner Sandy Carter Herndon made a motion to approve budget amendment General Fund #14 in the amount of \$25,000 for the Board of Education to purchase the Choate property. Commissioner Warren Taylor seconded the motion. Vote 4:0.

Amy Pardue presented her annual report for planning and recreation. She explained the highlights of the planning department's activities, courses and seminars attended for planning and recreation. She gave an in depth review of the recreation department including the sports offered and number of participants. She informed the Board of the progress on the Recreational Master Plan.

The Board of Commissioners and Amy Pardue talked about the soccer program, using land on the Sparta Bypass for possible soccer fields and currently using Martin Marietta land for soccer fields.

Chair Eldon Edwards recessed the regular meeting at 11:00am and opened the public hearing regarding the Local Government Commission application for the Courthouse renovations.

County Manager Don Adams stated that the County has received bids for the renovations on the Courthouse with the lowest bid being from Vannoy at \$1,770,043 including all of the alternates. He explained the Local Government Commission resolution is giving permission to the County Manager to file an application with the Local Government Commission for approval of renovating the Courthouse. He stated that the financing of the project is a 15-year loan. He summarized the Local Government Commission resolution. He presented the proposed project ordinance for the Courthouse renovations. He explained that the proposed project ordinance and the contract with Vannoy will be discussed at the November 7, 2005, meeting contingent upon Local Government Commission approval. He stated that he is asking the Board to pass the Local Government Commission resolution, permission to proceed with the intent of borrowing the money and sign the letter of intent with Vannoy. He reminded everyone that final approval is contingent upon Local Government Commission approval.

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

Chair Eldon Edwards closed the public hearing at 11:08am and reconvened the regular meeting.

Commissioner Warren Taylor made a motion to approve the LGC resolution. Chair Eldon

Edwards seconded the motion. Vote 3:1 (Ken Richardson).

The Board talked about other required action concerning this project.

County Manager Don Adams explained that he is requesting the Board give him permission to proceed with the intent of borrowing the money and sign the letter of intent with Vannoy. He further explained that the project ordinance must wait until the November 7 meeting.

Commissioner Sandy Carter Herndon made a motion to give the County Manager permission to proceed with the intent of borrowing the money and sign the letter of intent with Vannoy. Commissioner Warren Taylor seconded the motion. Vote 3:1 (Ken Richardson).

County Manager Don Adams stated that the architect is working on the windows with Vannoy and will have the answers on November 7.

Chair Eldon Edwards declared a brief recess at 11:10am.

Glen Wing gave the Board a PowerPoint presentation concerning creating a 4-hour ropes course. He stated that he is asking for permission to use some of the land at the Wilkes Community College site. He explained that the majority of the course will be built on the Sam Brown Mountain property. He gave the history of rope courses and examples of groups that use rope courses.

Commissioner Warren Taylor and Glen Wing talked about the possibility of a walkway between the High School and Wilkes Community College and how the ropes course wouldn't conflict with the walkway.

County Manager Don Adams explained the property ownership in the area of the ropes course.

Glen Wing talked about how easily the elements in the ropes course can be moved.

Commissioner Sandy Carter Herndon and Glen Wing talked about the costs of the ropes course and donations.

County Manager Don Adams stated that he wanted to see if there was any interest from the Board and if the Board is interested then the details can be worked out.

Commissioner Warren Taylor said to work towards getting all of the details worked out.

Commissioner Sandy Carter Herndon, County Manager Don Adams and Glen Wing discussed setting up the course properly, having certified instructors, completing the course being a rewarding experience, marketing the course, facilitators, having everything in writing, Iredell County's ropes course and posting signs at the elements regarding responsibility.

Chair Eldon Edwards stated for Glen Wing to bring the final plans to the Board on how the ropes course will be accomplished.

County Manager Don Adams talked about the current priorities of the planning staff.

Debbie Brewer presented the annual report for the library. She reviewed their circulation numbers, fund raising efforts, number of visitors, programs offered and their attendance, internet

usage, number of library card holders locally and regionally, building fund raising efforts and renting the Library Annex property.

County Manager Don Adams explained how the proceeds of the rent money are being handled.

Commissioner Ken Richardson stated that he has suggested that the Library to come to the first meeting in November to report to the Commissioners the progress of the library's fund raising efforts on the building.

Commissioner Ken Richardson told the Commissioners about meetings that he will be attending during the next week.

Commissioner Warren Taylor talked about meeting with Amy Pardue and Stan Steury concerning the walkway from the college to the high school and obtaining funding for the topo map and preliminary plans for that walkway.

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

Being no further business, Commissioner Warren Taylor made a motion to adjourn the meeting at 11:55am. Commissioner Sandy Carter Herndon seconded the motion. Vote 4:0.

Respectfully Submitted,

Karen Evans  
Clerk to the Board

Attest:

Eldon Edwards  
Chairman  
**ALLEGHANY COUNTY**  
**NORTH CAROLINA**

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR APPROVAL OF A FINANCING AGREEMENT AUTHORIZED BY NORTH CAROLINA GENERAL STATUTE 160A-20

WHEREAS, the County of Alleghany, North Carolina desires to finance the renovation of facility to consolidate departments into an Administration Building to better serve the citizens of Alleghany County; and

WHEREAS, the County of Alleghany desires to finance the Project by the use of an installment contract authorized under North Carolina General Statute 160A, Article 3, Section 20; and

WHEREAS, findings of fact by this governing body must be presented to enable the North Carolina Local Government Commission to make its findings of fact set forth in North Carolina General Statute 159, Article 8, Section 151 prior to approval of the proposed contract;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Alleghany County, North Carolina, meeting

in regular session on the 17<sup>th</sup> day of October, 2005, make the following findings of fact:

1. The proposed contract is necessary to renovate the Alleghany County Courthouse.
2. The proposed contract is preferable to a bond issue for the same purpose because of the cost incurred for this small of an issue and interest rates would be very similar in either instance. (i) It would not be prudent for Alleghany County to use available unappropriated fund balance to undertake the proposed project and the County is not capable of issuing a non-voted bond pursuant to Article V, Section 4, of the North Carolina Constitution to fund the project. (ii) This method was chosen to expedite the process without causing undue expenses.
3. It is anticipated the cost of financing under the proposed contract is less than the cost of issuing general obligation bonds.
4. The sums to fall due under the contract are adequate and not excessive for the proposed purpose because of the size of the issue.
5. Alleghany County's debt management procedures and policies are good because of the continued management letters stating responsible fiscal control in all areas in funds and departmental operations. These operations continually meet with Generally Accepted Accounting Principles as required by the LGC.
6. The increase in taxes necessary to meet the sums to fall due under the proposed contract will be \$0.0211 per \$100 valuation and is not deemed to be excessive.
7. The County of Alleghany is not in default in any of its debt service obligations.
8. The attorney for the County of Alleghany has rendered an opinion that the proposed Project is authorized by law and is a purpose for which public funds may be expended pursuant to the Constitution and laws of North Carolina.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the County Manager is hereby authorized to act on behalf of the County of Alleghany in filing an application with the North Carolina Local Government Commission for approval of the Project and the proposed financing contract and other actions not inconsistent with this resolution.

This resolution is effective upon its adoption this 17<sup>th</sup> day of October, 2005.