



The Alleghany County Board of Commissioners met in regular session on Monday, August 13<sup>th</sup>, 2018, at 6:30 pm in the Board Meeting Room of the County Administration Building, 348 South Main Street, Sparta, North Carolina.

Present: Chair Mark Evans, Commissioner Bobby Irwin, Commissioner Tom Smith, Commissioner John Irwin, Commissioner Larry Prince, County Manager, Mike James, County Attorney Donna Shumate and Clerk to the Board Drew Temple.

Chair Evans called the meeting to order at 6:30 PM.

Chair Evans led the pledge of allegiance and gave the invocation.

Commissioner John Irwin made a motion to amend the agenda to vote on Drew Temple as Clerk to the Board of County Commissioners. Commissioner Larry Prince seconded. Vote 5:0

Commissioner Tom Smith made a motion to appoint Drew Temple as Clerk to the Board of Commissioners. Commissioner John Irwin seconded. Vote 5:0.

## AGENDA

Monday, August 13, 2018

6:30 pm

- 6:30 Meeting Called to Order
  - Pledge of Allegiance and Invocation
  - \*Amendment to Agenda:** Vote on Drew Temple as Clerk to the Board of County Commissioners
  - Approval of Agenda
  
- 6:35 **Public Hearing on Proposed Garbage Ordinance (Public notice attached)** – Page 1 of packet
  
- A. 7:00 **Public Agenda Comments:** Citizens are encouraged to comment at this time on any item(s) specifically listed on this meeting's agenda. Guidelines for public comment are posted in the meeting room.
  
- B. 7:15 **Presentations to the Board** (no scheduled presentations)
  
- C. 7:15 **General Business**
  - i. Next steps on Garbage Ordinance (Board action requested)
  - ii. Resolution to place optional local sales tax on November ballot (Board action requested) – Page 2
  - iii. Potential Recreation Fund projects: List of 6 projects for further study (Board action requested) – Pages 3-5
  
- D. 7:45 **Consent Agenda** (Board action requested)
  - i. General Fund Budget Amendment #3 in the amount of \$60,000 for proceeds of an economic development grant – Page 6

- ii. E911 Fund Budget Amendment #1 in the amount of \$9,740 for purchase of a replacement NetClock for Dispatch – Page 7
- iii. JCPC Board Appointment – Page 8
- iv. Lease agreement for Social Services office – Pages 9-11

E. 8:00 **Public Comments:** Citizens are encouraged to comment at this time on any item(s) requiring the attention of the Commissioners. Guidelines for public comment are posted in the meeting room.

F. 8:30 **County Manager Comments**

- i. Recognition of employees
- ii. Review of county tourism smart device app
- iii. Solid waste reports – Pages 13-21
- iv. Transfer station update
- v. Sparta School construction update– Pages 22-30
 

Total amount of project	\$1,544,000
Total borrowed by County	\$1,375,000
Total paid previously to contractor	\$989,737
Current payment	\$78,174
Amount remaining	\$479,012 (31%)
- vi. Upcoming meeting schedule

G. **County Commissioner Comments**

H. **Adjourn**

**Public Hearing on Proposed Garbage Ordinance**

Chair Mark Evans opened the public hearing for the proposed garbage ordinance.

Millie Richardson explained she does not feel we need the ordinance. She feels it could be used against the working people of this county and the people who are most vulnerable, the elderly. Millie is concerned that the ordinance can be changed in the future. She thinks it is a conflict of interest for a commissioner to vote for something that will positively affect him financially.

Lee Hash of 10629 NC Hwy 113 said the Health Department is supposed to take care of unsafe and unhealthy conditions. He said tourism is important but is not important at the cost of our citizens. He recently bought his property and would have looked elsewhere had he known this ordinance was going to come back up.

Bill Hash of 2861 Bakers Ridge Road asked do we really need an ordinance to tell a homeowner to tell his tenant to take his garbage off? Could, then, farm equipment be deemed a nuisance?

Ricky Brown said we all need to think about keeping our county beautiful. He thinks this ordinance could create civic duty among men and women of the county. He said it comes down to respecting your neighbor and that the natural beauty of this county is a way to ensure people come here.

Bill Osborne said in the '60s, there were landfills on the side of most dirt roads in this county. He is in favor of letting the state do their job. He said if there is a call made to the EPA, the state absorbs that cost. He hopes the ordinance is voted down because it opens the door to further ordinances.

Hoyt Sparks of Choate Dairy Road said this ordinance was the most broadly written document he had ever seen. He said it gives discretion so that if people go out and

look for things, they are going to find them because they are going to ensure their jobs. He stated it would be costly, raise taxes and pit neighbor against neighbor.

Lenora Esseck who is a landowner in Alleghany County asked who is going to decide what's going to be trash and what's going to be necessary? She said she has had renters for years and anything they do that doesn't look nice, all she had to do was tell them and it was cleaned up. She is concerned about people who have multiple properties to manage and the difficulty of keeping them all clean.

Chair Mark Evans closed the public hearing and thanked everyone for their respect and comments.

### **Public Agenda Comments**

Chair Mark Evans opened the meeting to public comment. There were no public comments.

### **Next steps on Garbage Ordinance (Board action requested)**

Commissioner Larry Prince proposed no movement be made until some wording could be removed from the ordinance.

Commissioner John Irwin expressed his concerns about childproofing. He said his biggest objection was that the ordinance cannot touch farms. He is concerned with the ordinance because we expect neighbor to turn in neighbor. He said the county ended up paying \$10,000 for the last clean-up project and we will never get that money back. He cannot and will not support this ordinance. Commissioner John Irwin listed examples of circumstances that would warrant involvement from the Health Department. He suggested waiving the tipping fees for anyone who wants to clean their property but cannot physically or financially do so and that dump fees are a deterrent for people with fixed incomes.

Commissioner Bobby Irwin cited an instance where the Health Department became involved in cleaning up stagnant water. He suggested the first action to have a property cleaned up be a letter written by the county manager to explain there had been a complaint and try a voluntary approach.

Commissioner Tom Smith explained his feelings remain as they were in the beginning to let this ordinance sit on a shelf and collect some dust. He suggested a county-wide campaign relying on leaders. Commissioner Tom Smith said if there are places we feel are unsafe or unsightly, people will respond to being asked to clean them up. He thinks the county needs to get involved and help these folks. Commissioner Tom Smith will not be in favor of this ordinance.

County Manager, Mike James stated that according to NC Right to Farm Statute, any legitimate farming operation today cannot be deemed a nuisance tomorrow; but this does not completely exempt farms from all ordinances.

Commissioner Larry Prince said the ordinance is referring to household garbage that could be taken to the dump in a truck or trailer. He said if an elderly person cannot, he will personally help them clean their property. He also said no one will lose their property because of a trash bill. He explained the county is built around volunteerism so not to wait for the commissioners; take the initiative.

County Manager, Mike James asked the commissioners to make a motion to table the ordinance for further revision, approve it and add a date for it to become effective or to permanently remove it from consideration.

Commissioner Tom Smith made a motion to permanently discard the garbage ordinance. Commissioner John Irwin seconded. Vote 3:2 (Commissioner Tom Smith Commissioner Bobby Irwin Commissioner John Irwin aye, Chair Mark Evans Commissioner Larry Prince no)

**Resolution to place optional local sales tax on November ballot (Board action requested)**

Chair Mark Evans presented a resolution for sales tax to be put on the November ballot to help fire departments and school safety. There was no further discussion.

Commissioner John Irwin made a motion to approve. Commissioner Larry Prince seconded. Vote 5:0

**Potential Recreation Fund projects: List of 6 projects for further study (Board action requested)**

Chair Mark Evans presented the recreation fund projects.

County Manager, Mike James said last meeting, there was a list of approximately 20 items and Recreation Director Jim Brown narrowed the list to a more manageable number and provided information on cost and feasibility. Mike said he would like guidance from the board as to which projects to move forward with. He was in favor of putting vending machines at Farmers Fish Camp New River access right away.

Commissioner Bobby Irwin said there was a ceremony held at Veteran's Park over the weekend and it was extremely difficult for an attendee in a wheelchair to maneuver over the gravel.

Updated quotes for Veteran's Park on paving versus tar and chip will be presented at the next meeting.

No action was taken with regards to selecting recreation fund projects.

**Consent Agenda (Board action requested)**

Chair Mark Evans moved on to the consent agenda.

Commissioner Larry Prince motioned to approve the consent agenda. Commissioner John Irwin seconded. Vote 5:0.

**Public Comments**

Chair Mark Evans opened the floor to public comments.

Maria Peebles, Branch Manager for NCSECU explained the NC State Employee's Credit Union is helping the Alleghany Partnership for Children with fundraising and a grant for their new building. The Partnership for Children event is at the Sparta NCSECU at 5:30 on August 22<sup>nd</sup>. On August 26<sup>th</sup>, there will be a Habitat for Humanity Home kick-off event.

NCSECU is also going to bring six new jobs to Alleghany County, a call center. Jobs should be listed with NCWorks Tuesday 8/14/18 morning. The schedule for the new Call Center jobs will be 4 days on, 4 days off 10 am – 9 pm.

**County Manager Comments**

County Manager, Mike James recognized employees Robbie Dollinger and Daniel Murray for outstanding work in the community. He then shared that 10,000 tons of solid waste were disposed of last year. He said June and January are our biggest months for solid waste. County Manager, Mike James said A1 Paving was at the transfer station and the paving there would take 4-5 business days to complete. He said the new set of scales should be in place by the end of September or first of October. The update on the Sparta School construction project is that the last few hundred thousand dollars will be coming from the school capital fund and that the end of the project is in sight. The first Commissioner's meeting in September was changed from September 3<sup>rd</sup> to September 4<sup>th</sup>.

**Commissioner Comments**

Commissioner John Irwin complimented the Maintenance Department on preparing the fair grounds for recent events.

Commissioner Larry Prince said he and Commissioner Tom Smith sat in on a court session in the lower courtroom and he concurred it is a dangerous situation. He is looking for ways to not spend the amount of money being talked about.

Commissioner Tom Smith said he believes everyone who was in favor of the ordinance had pure intentions. He thanked the board and Commissioner Larry Prince.

Chair Mark Evans thanked Commissioner Tom Smith, Commissioner Larry Prince and County Manager, Mike James for serving on the Court House committee and trying to find a resolution. He attributed some uptick in attendance to community events to Sarah Dalton.

Chair Mark Evans made a motion to adjourn. Commissioner John Irwin seconded. Vote 5:0.

Respectfully submitted,

Attest:

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Drew Temple  
Clerk to the Board

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Mark Evans  
Chair