

The Alleghany County Board of Commissioners met in regular session on Monday, December 21, 2009, at 3:30pm in the Board Meeting Room of the County Administration Building, 348 South Main Street, Sparta, North Carolina.

Present: Chair Ken Richardson, Vice-Chair Randy Miller, Commissioner Doug Murphy, Commissioner Milly Richardson, Commissioner Steve Roten, County Attorney Donna Shumate, County Manager Don Adams and Clerk to the Board Karen Evans.

Chair Ken Richardson called the meeting to order.

Commissioner Milly Richardson led the Pledge of Allegiance and opened the meeting with a prayer.

Chair Ken Richardson stated that item E needs to be deleted and closed session for economic development needs to be added to the agenda.

Commissioner Milly Richardson made a motion to approve the amended agenda for this December 21, 2009, meeting. Commissioner Randy Miller seconded the motion. Vote 5:0.

AGENDA
Monday, December 21, 2009
3:30 PM

- 3:30 Meeting Called To Order, Pledge of Allegiance and Prayer
Motion on Agenda for December 21, 2009, meeting
Motion on Minutes for November 30 and December 7, 2009, meetings
Motion on November Tax Releases and Refunds
- 3:35 A. Public Comments—30 minutes
B. Mary Walker
RE: Tax Appeals
C. Blue Ridge Opportunity Commission
RE: Crisis Intervention & Weatherization Services
D. Steve Cothren
RE: Jail Personnel
E. Smoky Mountain Center Report (deleted)
F. Alleghany Memorial Hospital Annual Report
G. County Business
1. Water Authority Resolution
2. Project Ordinance Amendment—Safety Fund
3. Training Facility Engineering Contract
4. Budget Amendment—EMS Drug Testing
5. Budget Amendment—Land, Sewer/Water at GCS
6. Budget Amendment—JCPC
7. Budget Amendment—CJPP
8. Project Ordinance—QSCB Fund
9. Other Business
10. Closed Session—NCGS 143-318.11 (a) (3)—legal
NCGS 143-318.11 (a) (4)—economic development (added)
11. Adjourn

Commissioner Doug Murphy made a motion to approve the minutes for the November 30 and December 7, 2009, meetings. Commissioner Milly Richardson seconded the motion. Vote 5:0.

Commissioner Randy Miller made a motion to approve the real refunds and releases for November. Commissioner Milly Richardson seconded the motion. Vote 5:0.

Commissioner Randy Miller made a motion to approve the auto refunds and releases for November. Commissioner Milly Richardson seconded the motion. Vote 5:0.

Chair Ken Richardson asked for public comments. None were received. He

closed the public comments portion of the meeting.

Mary Walker, Tax Administrator, presented a tax appeal for a solid waste fee for Shirley Richardson for an apartment building on Highway 21. She explained that she talked to Ms. Richardson about this is a solid waste fee not a user fees and explained that water/electricity is one of the guidelines for availability fee.

Commissioner Steve Roten made a motion to deny the request. Commissioner Milly Richardson seconded the motion. Vote 5:0.

Mary Walker presented an appeal on a discovery for a 14 x 66 mobile home that was not picked up during revaluation. She explained that the people are not appealing the taxes or solid waste fees just the penalties in the amount of \$26.92. She reviewed the North Carolina General Statutes (NCGS) regarding this situation.

Commissioner Steve Roten, Commissioner Doug Murphy and Mary Walker discussed this appeal, permanent listing requirements and the people had been paying taxes on it prior to 2007.

Commissioner Steve Roten made a motion to release the \$26. Commissioner Milly Richardson seconded the motion. Vote 2:3 (Ken Richardson, Randy Miller, Doug Murphy).

Commissioner Doug Murphy and Mary Walker talked about this appeal and the NCGS language.

Commissioner Steve Roten talked about if we make a mistake we should be responsible.

Chair Ken Richardson talked about the NCGS and these people had paid the taxes prior to revaluation.

Chair Ken Richardson made a motion to deny the appeal. Commissioner Randy Miller seconded the motion. Vote 3:2 (Steve Roten, Milly Richardson).

Steve Cothren, Chief Jailer, came before the Board to discuss David Bare who is moving into the Lt. Jailer position held by Roger Bledsoe, who is retiring this month. He said he is requesting that David Bare be paid what Roger Bledsoe is being paid.

County Manager Don Adams explained the handout showing the salaries for David Bare and Roger Bledsoe and a section of the personnel policy talking about promotions.

Commissioner Milly Richardson made a motion to fill the position of the Lt. Jailer and then fill the vacant position of Jailer. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Chair Ken Richardson talked about the salary amount difference between the positions.

Commissioner Steve Roten and Steve Cothren discussed the length of service for Roger Bledsoe and David Bare.

Chair Ken Richardson talked about deviating from the personnel policy and if the Board wants to deviate then the policy will need to be changed.

Commissioner Milly Richardson talked about the Law Enforcement Center being under the Sheriff.

County Manager Don Adams explained that the Sheriff has complete control over personnel. He reviewed things that the Commissioners can and cannot do.

Chair Ken Richardson talked about the Commissioners determine the policy for all personnel.

County Manager Don Adams stated that the Commissioners also determine the pay for all county personnel.

Commissioner Milly Richardson talked about the position change.

County Manager Don Adams explained that the policy has been adopted by the Commissioners. He explained that there are several boards/departments that are county employees but the Commissioners set the pay for each employee. He talked about the financial relationship with those departments.

Sheriff David Edwards talked about his problem here is that there is a pay scale that doesn't award for years of service.

Commissioner Doug Murphy and Chair Ken Richardson agreed and explained that the Commissioners have discussed that.

Commissioner Doug Murphy reviewed the numbers before the Board; starting salary of \$26,375.34 or current salary of \$28,221.61.

Sheriff Edwards stated he would like to see steps in the pay plan.

Chair Ken Richardson explained that Commissioner Randy Miller and he worked on a system but with the tight budget it wasn't recommended because it would require a couple hundred thousand.

Commissioner Randy Miller stated that he wanted everyone to know that this person in discussion is his uncle before he says anything about the situation. He talked about the starting salary.

Commissioner Steve Roten stated that the Board has the discretion to handle pay issues.

Chair Ken Richardson suggested allowing the County Manager to go back and look at all of the employees in this situation and make it retroactive.

The Board of Commissioners discussed this request and ways to proceed.

Commissioner Steve Roten talked about having the discretion to look at these situations individually.

Chair Ken Richardson stated that if the Board gives the starting salary plus one step then that is deviating from the policy.

Commissioner Milly Richardson stated to let the Sheriff run his department, it is the Sheriff's business, and let him do what he wants.

Chair Ken Richardson reiterated that if the Board gives starting salary plus one step then it is deviating from policy. He further stated that this action must be motion.

Commissioner Milly Richardson talked about the extreme budget constraints and the Board isn't going to be able to do an overhaul. She said it isn't fair for everyone to not get what they deserve. She further said that the Board can look at this on a case-by-case basis. She stated that the Board is not in position to go backwards and make change.

Commissioner Doug Murphy said that the Board doesn't know how many we are talking about.

Sheriff Edwards stated that he can take the budgeted amount, spend it any way he wants, and some sheriffs' offices do that.

Chair Ken Richardson reminded everyone what is before the Board.

Commissioner Steve Roten made a motion to approve the starting salary plus one step, it is in the discretion of the Board to consider others, and other departments should come before the Board if in the same situation. Commissioner Milly Richardson seconded the motion. Vote 4:1 (Ken Richardson).

The Board of Commissioners discussed how to address these problems and ways to move forward.

Commissioner Milly Richardson reiterated that the County is not in the budget shape where the Board can fix these issues. She said that she respects and appreciates all of the work that Randy Miller and Ken Richardson have done. She further said that the problem needs to be addressed.

Commissioner Randy Miller talked about this just opened the door, and it needs to be fixed.

Chair Ken Richardson stated that Randy Miller and he will begin to meet again after the first of the year and see who falls in this category.

Ralph Castillo came before the Board to present the annual report for Alleghany Memorial Hospital. He reviewed the handout showing statistics for the Hospital including volume, local vendor expenses, revenues/expenses, patient surveys, medical staff and Board of Trustees. He introduced Dr. Joe Arocha, the new internal medicine doctor.

Commissioner Milly Richardson stated that she thinks it would be a good idea to have a Commissioner on the hospital board in order to stay attune with the hospital's work. She further stated that she will be glad to serve on the board if that is necessary.

Dr. Joe Arocha came before the Board to officially introduce himself. He provided his background including being born and raised in Florida, medical background starting as a nurse then going back to medical school. He described how he decided to move to Alleghany County.

Commissioner Milly Richardson stated that she has talked with several people who are Dr. Arocha's patients, and they have been very pleased with the services. She said that Dr. Arocha is a great asset to the community already, and the County is grateful to have you.

Chair Ken Richardson stated his appreciation for Dr. Arocha taking time away from his schedule to meet with the Commissioners.

County Manager Don Adams presented a proposed water authority amendment. He explained that this agreement is between the Town of Independence, Town of Sparta, Grayson County and Alleghany County. He explained that this is required by USDA. He reviewed the proposed changes.

Commissioner Randy Miller made a motion to approve the amendment. Commissioner Doug Murphy seconded the motion. Vote 5:0.

County Manager Don Adams presented the amended Safety Fund project ordinance in the amount of \$800,755. He presented the training facility engineering contract. He reviewed the contract including highlights of the contract being the estimated total development and construction in the amount of \$650,755. He reviewed the safety fund breakdown.

Commissioner Randy Miller made a motion to approve the amended project ordinance. Commissioner Milly Richardson seconded the motion. Vote 5:0.

Commissioner Randy Miller made a motion to approve the contract. Commissioner Doug Murphy seconded the motion. Vote 5:0.

County Manager Don Adams presented budget amendment General Fund #11 in the amount of \$2,884 for EMS drug testing.

Commissioner Randy Miller made a motion to approve budget amendment General Fund #11 in the amount of \$2,884. Commissioner Milly Richardson seconded the motion. Vote 5:0.

County Manager Don Adams presented budget amendment General Fund #12 in the amount of \$126,166. He explained that \$97,000 is for the land for the sewer at Glade Creek School, \$15,000 for the rural center planning grant and \$14,168 for well expenses for Glade Creek School. He reminded everyone that the County is currently under option for property near Glade Creek Elementary School with Paul Hawks for eight acres. He explained that a soil scientist visited the Hawks property and Novak property, and the recommendation from the soil scientist is to go with the Hawks property. He further explained that he has spent about \$850 on the soil scientist which could have gone up to \$2,000. He said that he has the report if anyone wants to see it. He reiterated that the Hawks property is more suitable for the sewer needs. He explained the rural center grant for \$15,000 and the well expenses in the amount of \$14,166.

Commissioner Steve Roten and County Manager Don Adams talked about the well testing.

Commissioner Milly Richardson and County Manager Don Adams talked about bidding timelines for the project.

Commissioner Doug Murphy made a motion to approve budget amendment General Fund #12 in the amount of \$126,166. Commissioner Milly Richardson seconded the motion. Vote 5:0.

Commissioner Doug Murphy made a motion to move forward to close on the Hawks property. Commissioner Randy Miller seconded the motion. Vote 5:0.

County Manager Don Adams presented budget amendment General Fund #13 in the amount of (\$3,000) for a decrease in JCPC funds on the State side only.

Commissioner Randy Miller made a motion to approve budget amendment General Fund #13 in the amount of (\$3,000). Commissioner Milly Richardson seconded the motion. Vote 5:0.

County Manager Don Adams presented budget amendment General Fund #14 in the amount of (\$497) for a decrease in the CJPP program.

Commissioner Randy Miller made a motion to approve budget amendment General Fund #14 in the amount of (\$497). Commissioner Milly Richardson seconded the motion. Vote 5:0.

County Manager Don Adams presented the QSCB Fund project ordinance in the amount of \$3,362,150 and explained that this will put the funding in place. He reviewed the breakdown of the expenses and revenues for the fund.

Commissioner Randy Miller made a motion to approve the project ordinance for the QSCB Fund. Commissioner Doug Murphy seconded the motion. Vote 5:0.

County Manager Don Adams updated the Board about the QSCB loan closing today, and the money will be transferred tomorrow. He reminded the Board that the money was obtained at an interest rate of 1.97%.

Commissioner Milly Richardson wished everyone a Merry Christmas. She congratulated everyone on the decorations in the town and encouraged everyone to view the decorations.

Commissioner Randy Miller wished everyone a Merry Christmas and Happy New Year. He thanked everyone for all of the hard work.

Commissioner Doug Murphy wished everyone a Merry Christmas and appreciates everyone's work.

Commissioner Steve Roten wished everyone a Merry Christmas and asked everyone to remember the people that are up against it during this Holiday season.

Chair Ken Richardson said Merry Christmas to everyone including the Board members and staff. He talked about looking back on 2009 and the accomplishments.

Commissioner Randy Miller made a motion to go into closed session at 5:05pm under NCGS 143-318.11 (a) (3)—legal and (a) (4)—economic development. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Commissioner Milly Richardson made a motion to adjourn closed session at 5:44pm and reconvene the regular meeting. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Chair Ken Richardson stated no decisions were made during closed session.

Being no further business, Commissioner Doug Murphy made a motion to adjourn at 5:46pm. Commissioner Randy Miller seconded the motion. Vote 5:0.

Respectfully Submitted,

Karen Evans
Clerk to the Board

Attest:

Ken Richardson
Chairman