



The Alleghany County Board of Commissioners met in regular session on Monday, March 21st, 2022 at 10:00 am in the Board Meeting Room of the County Administration Building, 348 South Main Street, Sparta, North Carolina.

Present: Chair Bill Osborne, Commissioner Mark Evans, Commissioner Bobby Irwin, Commissioner Mechelle Luffman, Commissioner John Irwin, County Attorney, Heather Klein and Clerk to the Board Drew Todd.

Commissioner Mechelle Luffman made a motion to accept the amended agenda. Commissioner John Irwin seconded. Vote 5:0.

### Alleghany County Board of Commissioners

348 South Main Street  
Post Office Box 366  
Sparta, NC 28675  
Tel: (336) 372-4179  
Fax: (888) 369-2621

*County Commissioners*  
Bill Osborne  
Bobby Irwin  
Mark Evans  
Mechelle Luffman  
John U. Irwin, Jr.

*County Manager*  
Michael L. Carter

*Clerk to the Board*  
Drew Todd

*County Attorney*  
Heather R. Klein

#### AGENDA

Monday March 21, 2022  
10:00 am

- 10:00 Meeting called to order  
Pledge of Allegiance  
Invocation  
Approval of agenda  
Motion on minutes from 3/7 work session, 3/7 (pages 1-5)
- A. 10:05 **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; please use the sign-up sheet provided.
- B. 10:20 **Presentations to the Board**
- i. NC Tech Paths – Dr. Jeff Cox, Wilkes Community College
  - ii. Facilities update – David Spicer, Public Works Director
  - iii. Financial update – April Hamm, Finance Officer
- C. 11:00 **General Business**
- a. Transfer Facility line-item transfers – April Hamm (page 6)
  - b. Cell phone tower ordinance discussion – Travis Dalton, County Planner
  - c. Fairgrounds Concessions lease – Cole Edwards, Recreation Director (page 7-14)
  - d. 911 Tower contract – Daniel Roten, Emergency Management Coordinator (pages 15-19)
  - e. SB473; impact on voting on County budget, legal advice concerning the applicability to members appointed by the Commissioners – County Attorney, Heather Klein (pages 20-23)

- f. Bylaws for subcommittees formed by the Commissioners – Commissioner, John Irwin
- g. Lions Club lease – County Manager, Michael Carter (pages 24-30)
- h. AIA agreement B102-2017 – Michael Carter (pages 31-40)
- i. AIA agreement B203-2017 – Michael Carter (pages 41-44)

**D. 12:00 Consent Agenda (Board action requested) (pages 45-53)**

- i. Rita Miller, Tax Administrator
  - a. License Plate Agency month end report
  - b. February auto refunds
  - c. February real and personal property refunds
  - d. Real and personal property releases
  - e. Collections monthly totals report
  - f. Delinquent taxpayer contracts

**E. 12:45 County Manager Comments**

**F. 1:00 County Commissioner Comments**

**G. 1:15 Adjourn**

Commissioner Mechelle Luffman made a motion to accept minutes as presented. Commissioner Bobby Irwin seconded. Vote 5:0.

**Public comments**

Jack Joines expressed his concern about closing the street on Saturdays for Music on Main. He said the Arts Council had not contacted him about this year’s Music on Main events. He said the first year he was approached about hosting a Music on Main event by Barbara Halsey, he was not paid as he was promised.

Commissioner John Irwin said the Arts Council has asked the TDA for funding as well as a request from the County Commissioners.

**Presentations to the Board**

**NC Tech Paths**

Dr. Jeff Cox explained the NC Tech Paths project through Wilkes Community College.

Commissioner John Irwin asked Dr. Cox to consider the atmosphere in the server room at the Wilkes Community College building.

Dr. Cox confirmed this project is currently privately funded.

**Facilities update**

David Spicer, Public Works Director said the Courthouse roof is completely completed. He said there have been some delays on the inside but the sheetrock work is supposed to commence again this week. He said we have been working on Dispatch and have cleaned out the rooms and made preparations for construction to begin. He said they have hauled an additional 4.48 tons of comingled recycling and 2.60 tons of cardboard from the recycling center. He said they have hauled 3.79 tons of metal with another load on the way as we speak. He said the additional revenue to the county is \$4,000. He said he has been working on the plans for the tipping floor; he said the temporary tipping floor will be where the white goods building is. He said he should have the approval letter from the state for the temp tipping floor this week. He said the addition to the current tipping floor is still under review. He said 90 S Main is going to be an ongoing project

and preparations are underway for construction. He said there was a water issue at Daymark that was resolved. He said he started a new employee this morning with one spot left to fill. He gave an Animal Control update and said they issued the first fine for a nuisance animal. He said the animal shelter inspection failed because of the paint chipping on the floor which is an issue every six months. He said he is working towards a different solution for the floor.

County Manager, Michael Carter said there is a current agreement with the veterinarian and his group for the Animal Shelter that expires in the near future. He said the thought of building an animal shelter is something to think about but veterinary care is a component of that as well.

Commissioner Bobby Irwin said Nash Williams has saved this County money by operating the Animal Shelter.

Financial update

April Hamm, Finance Officer gave the financial update.

### **General Business**

TF line-item transfer

Commissioner John Irwin made a motion to approve the TF line-item transfer. Commissioner Mark Evans seconded. Vote 5:0.

Ray Pickett

Representative Ray Pickett introduced himself as our new representative for the district.

Cell phone tower ordinance discussion

Travis Dalton explained in 2015, the Cell Phone Tower Ordinance was amended to include the ability for the County to use space if available on new towers built after the amendment date. He said when the government access was changed, the height was changed to 195.

Fairgrounds concessions lease

Cole Edwards explained the proposed lease agreement and said if approved, it would go into effect April 1 of this year.

Commissioner John Irwin made a motion to accept the Fairgrounds concessions lease. Commissioner Bobby Irwin seconded. Vote 5:0.

911 Tower contract

Commissioner Mark Evans made a motion to approve the Mobile Communications lease. Commissioner John Irwin seconded. Vote 5:0.

SB 473

County Attorney, Heather Klein gave her opinion on SB 473. She said the advice she has gotten from the School of Government is that Board members should recuse themselves from decisions about funding appropriations to non-profits they serve. She said there is no definitive answer or final interpretation of this. She said the TDA does not fall under this bill.

Commissioner Mark Evans asked about becoming ex-officio members of the non-profit boards they sit on. He also mentioned getting permission from the Local Government Commission.

Rep. Pickett said the bill was not supposed to apply to small communities (towns under 15,000 and counties under a certain population).

Commissioner John Irwin said the TDA, a subcommittee, has made grant requests in the past that should be called into question. He said there is a grant request to the TDA to pay for performers that if granted, will compete with a for-profit business. He said Mr. Joines is paying property taxes to subsidize his competition.

#### AIA agreements

Commissioner John Irwin made a motion to approve General Business points 8 and 9. Commissioner Mechelle Luffman seconded. Vote 5:0.

#### **Consent agenda**

Commissioner John Irwin made a motion to approve the Consent Agenda. Commissioner Bobby Irwin seconded. Vote 5:0.

#### **County Manager comments**

County Manager, Michael Carter said Commissioner John Irwin had a birthday on March 10<sup>th</sup>. He said he received a letter from the VFW recognizing Marge Gray. He said he would like the Courthouse Committee to get together later this week. He said there have been some hiccups along the way with the transition of our internet and phones and for people to please be patient.

#### **County Commissioner comments**

Commissioner Mechelle Luffman said she is excited about the NC Tech Paths. She said with the increase in wages at DSS, they have been able to hold on to some employees and make some new hires. She thanked our volunteer fire fighters during the wildfire activity.

Commissioner John Irwin said when he met with Mr. Joines on March 17<sup>th</sup> at the Jubilee, he pointed out the Jubilee was formed in 1994, most clientele are traveling 50+ miles, clientele is 30-96, clientele utilize Main Street parking, Jubilee supports Music on Main, no one from Music on Main has contacted Mr. Joines, co-Chair of the Arts Council owns Muddy Creek and events of the Arts Council are held at Muddy Creek, Jubilee is in competition with events subsidized by Alleghany County taxpayer money, 12 events the Arts Council has scheduled and 5 events of Music on Main will be competing against the Jubilee, the Arts Council is requesting \$20,000 from the TDA and \$6,000 from the County. He suggested holding these events at the Fairgrounds or school auditorium. He said the Wilkesboro Speedway will be rebuilt to it's original configuration. He said there will be a dirt track race in July.

Commissioner Evans thanked the Budget Committee for starting work. He said he hopes these are looked at and helped more than last year: The Chamber for Economic Development, the library, the Rescue Squad, fire departments minus the reserve fund and JCPC.

Commissioner Bobby Irwin said he appreciated Representative Pickett being here. He said our tier schedule has not worked out well for us. He said we have been working on a speed limit reduction that happened four or five months ago and he is hoping it can be changed back to 55. He said lead times on our well and septic inspections through the health department are totally unacceptable. He said Dale Folwell wanted to pass along the compliment to the county for getting off the "watch list" with the state.

Chair Bill Osborne said NC Tech Path is a great way to keep our young people here. He said the fire departments have been busy. He said the Affordable Connectivity Program provides \$30/month for internet service and a \$100 one-time payment for a computer. He said the library will help fill out the application. He said the septic tank permit problem is holding up progress. He thanked Mr. Pickett for coming and being with us today.

#### **Request for Closed Session**

Commissioner John Irwin made a motion to go into closed session. Commissioner Bobby Irwin seconded. Vote 5:0.

Chair Bill Osborne said no action was taken in closed session.

#### **Adjourn**

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

Respectfully Submitted,

Drew Todd  
Clerk to the Board

Bill Osborne  
Chairman