

The Alleghany County Board of Commissioners met in regular session on Monday, January 7, 2013, at 6:30pm in the Board Meeting Room of the County Administration Building, 348 South Main Street, Sparta, North Carolina.

Present: Chairman Larry Cox, Vice-Chair Tom Smith, Commissioner Larry Davis, Commissioner John Goudreau, Commissioner Karen Leys, County Attorney Donna Shumate and County Manager Don Adams. Clerk to the Board Karen Evans was absent.

Chair Cox called the meeting to order, led the Pledge of Allegiance and a silent prayer.

Chair Cox stated that Item D needs to be deleted from the agenda and add #6 under General Business for Health Department appointment.

Commissioner Smith made a motion to approve the amended agenda for this January 7, 2013, meeting. Commissioner Leys seconded the motion. Vote 5:0.

AGENDA
Monday, January 7, 2013
6:30 PM

- 6:30 Meeting Called To Order, Pledge of Allegiance and Silent Prayer
Motion on Agenda for January 7, 2013 Meeting
- 6:35 A. Public Comments—30 minutes
B. Public Hearing – RE: High Country Regional Hazard Mitigation Plan. Required FEMA plan that covers Alleghany, Ashe, Watauga and Wilkes Counties. A copy of the plan can be downloaded at http://www.alleghanycounty-nc.gov/emergency_management.php . Action Requested - Vote on the Resolution to adopt the plan.
C. Amy Lucas (Extension Agent) – RE: January 2013 Radon Action Month. Mrs. Lucas is appearing before the Board to inform the public about the services being offered by Alleghany Extension Office in regards to radon. No action requested.
D. Ethan Binion – RE: Eagle Scout project. Mr. Binion is working on his Eagle Scout project that involves constructing a deck for Luke Hampton. Mr. Binion is requesting that the \$50 building permit fee be waived. Action Requested – Vote on whether or not to release the \$50 building permit fee. (Deleted)
E. Thomas Poole – RE: Business fire at 12659 Hwy 18N, Ennice, NC. Mr. Poole's garage business burned in November 2012. He is requesting that the solid waste fee be released for the cleanup on this site. Action Requested – Vote on whether or not to release the solid waste fee.
F. General Business
1. General Fund Budget Amendment - In the amount of \$34,219. These are additional federal funds for crisis fuel assistance to be distributed through Social Services. Action Requested – Vote on whether or not to approve the budget amendment.
2. Joint Meeting Schedule with Town of Sparta – Proposed joint meeting dates are 4/29/13, 7/29/13, 9/30/13. Action Requested – Vote on the proposed joint meeting schedule.
3. Analysis of Impediments to Fair Housing Plan – Required plan to operate the Community Development Block Grant Scattered Site Housing program. Action Requested – Vote on the proposed plan.
4. Propose Legislative Goal for the North Carolina Association of County Commissioners – Goal to keep current North Carolina Department of Transportation equity formula intact. Action Requested – Vote on the proposed goal.
5. Bridge Naming Request – Request for naming a bridge on Highway 221. Action Requested – Discussion on the request.
6. Health Department Appointment – (Added)
G. Adjourn

Chair Cox opened the public comments' portion of the meeting and asked for public comments.

Dennis Smith talked about at the last meeting where the Emergency Management Coordinator talked to the Board about the Regional Hazard Mitigation Plan but he didn't tell the Board where the planning came from and how it is being used to eliminate the rights of individuals. He explained actions of the United Nations in 1989 regarding national disaster reduction. He further explained chapter 7 of Agenda 21 about multi-jurisdictions all hazardous mitigation planning program. He talked about multi-jurisdictions all hazardous mitigation planning is a tool. He further talked about the Homeland Security

and their functions and each state has their own emergency management agency that receives its directives from the FEMA and they have regional councils that exist as another layer of governance above local governments and below the state government. He talked about these councils are the pipeline for international community and federal government exercise their will over local governments. He further talked about the grants that flow through these agencies. He asked how the United Nations resolution takes a global initiative to a local law. He reviewed steps on how that occurred. He talked about regionalism. He further talked about the items of government that are associated with regionalism. He quoted an author stating that regionalism is communism and regionalism promotes an extra level of government. He talked about the agenda that created the hazardous mitigation planning is over 100 years old, is extremely complicated. He read a prayer that was offered by a NC county commissioner prior to a county commissioner meeting.

Chair Cox asked for additional public comments. None were received. He closed the public comments' portion of the meeting.

Gerald Leftwich reminded everyone that the High Country Regional Hazard Mitigation Plan is funded through the federal government to the State and its four counties that have the same natural hazards. He explained that this is one Plan but each individual county has their own plan, and this is a requirement by the federal government in order to receive monetary aid in case we have a disaster here beyond our scope. He gave examples. He explained that this plan is good for 5 years. He talked about the costs of the plan being spread out over the 4 counties. He said that the Plan is online on Alleghany County's website.

Commissioner Leys talked about the importance of working with the other counties. Gerald Leftwich agreed and said this also allows each county to get additional equipment for our area because we can share equipment. He used examples of the equipment being shared.

Chair Cox opened the public hearing at 6:51pm for the High Country Regional Hazard Mitigation Plan and asked for public comments.

Dennis Smith talked about the company that put together this 337-page Plan. He said that Alleghany County's Plan is found on pages 200-202. He talked about the disasters addressed for Alleghany County. He read the portion for Alleghany County. He told everyone to remember the information he presented about the company that created the Plan. He explained the effects of disasters that weren't mentioned in the Plan. He talked about page 177 of the Plan, table 7.1. He reviewed plans that Alleghany County already has in place and potential future plans as referenced in the Regional Plan. He said that government is saying if you don't vote in favor of this Plan they will refuse to help us if we have one of the hazards even though it is our own money that they would be using for that assistance. He asked do you think that the federal government will not add to the list of things that we have to do in order to receive their help. He said that hazardous mitigation is just another way that United Nations Agenda 21 is being imposed upon America. He further said in voting upon this Plan you will answer what your freedom is worth.

Chair Cox asked for additional public comments.

DW Miles talked about what Mr. Leftwich says is what we need for the community. He asked is it accurate. He talked about personal experience that the plan isn't always what it should be. He gave examples of the flood areas of his property. He said he isn't questioning the Plan but it just needs to be accurate. He restated that however the Commissioners vote to make sure it is accurate. He provided another example. He said there are some things that need to be considered.

Chair Cox asked for additional public comments. None were received. He closed the public hearing at 7:04pm and reconvened the regular meeting.

County Manager Don Adams talked about how it is up to the Board whether to proceed with the adoption resolution or not.

Chair Cox asked the Board for comments.

Commissioner Smith asked about the inaccuracies that Mr. Miles talked about.

County Manager Don Adams explained that the inaccuracies that Mr. Miles was referring to is in regards to floodplain data, which has nothing to do with this Plan. He talked about we rely on other funding sources to do flyovers to determine the floodplain in this area. He reiterated that has nothing to do with this Plan.

Chair Cox asked for additional comments.

Commissioner Smith made a motion to approve the High Country Regional Hazard Mitigation Plan. Commissioner Davis seconded the motion. Vote 4:1 (John Goudreau).

Amy Lucas, Extension Agent, came before the Board to talk about the Extension Service's activities regarding radon especially since January is Radon Action Month. She explained that the every county's extension agency is the liaison agency in that county. She stated free kits are available at the Extension Service for household testing. She explained that Allegheny County is zone 1 and that means that on average that homes have high radon levels. She talked about the importance of radon tests and how the tests work. She explained the dangers of radon. She further explained they are working with ACTV and the newspaper to get the word out to people about they have the free test kits, and they have contacts for people if people have problems.

Commissioner Leys and Amy Lucas talked about the number of tests available and can get more easily.

Chair Cox and Amy Lucas talked about how much people have used the program in the past.

Commissioner Leys and Amy Lucas explained how the results are received after the test. Mrs. Lucas explained that they do not get the test results at the Extension Service.

Thomas Poole explained that he had a fire on October 31 in his shop that burned a hole in the roof and the front wall. He said that he is requesting to get assistance with releasing the solid waste fees where they have hauled the debris away trying to rebuild.

Chair Cox said he isn't sure if the County has assisted a business or not.

County Manager Don Adams talked about we have helped a church and explained the tornado damage areas. He explained the items in the Commissioners' agenda packets; property card showing the burnt building, \$1,074 Transfer Facility charges, map showing the total property ownership in the area and a listing of the back property taxes and solid waste fees that are owed on those properties.

Chair Cox and the County Manager talked about both properties have past-due taxes and the business, Sunny Side Market, has past-due solid waste fees.

Chair Cox and Thomas Poole talked about this was his towing business that burned.

County Manager Don Adams explained how Mr. Poole is grandfathered under the Property Rights Protection Ordinance because the business existed prior to the ordinance.

Commissioner Smith and Thomas Poole talked about the only insurance on the building was liability and keepers insurance with none on the structure.

Chair Cox asked what the pleasure of the Board is.

Commissioner Leys and County Manager Don Adams talked about business solid waste requests are so far in between and the minutes would have to be researched but nothing is coming to his mind at this time.

Chair Cox restated that Mr. Poole is requesting that the County release the \$1,000 of solid waste fees. He asked the Board if there is a motion to release the fees.

No one spoke.

Chair Cox said the matter dies due to lack of a motion.

Thomas Poole asked a question about the Sunny Side Market that has been shut down for 1 ½ years and he is still getting commercial charges and is that going to continue.

County Manager Don Adams and Thomas Poole talked about he hasn't received a solid waste bill since he closed. Mr. Poole talked about it is commercial property and the taxes are twice the amount of his other property. The County Manager talked about the tax value can be appealed through the Tax Office, and he needs to talk to the Rita Miller.

County Manager Don Adams presented budget amendment General Fund #8 in the amount of \$34,219 for Social Services' additional public fuel assistance. He explained that this is 100% federally funded with no County money involved.

Commissioner Leys made a motion to approve budget amendment General Fund #8 in the amount of \$34,219. Commissioner Smith seconded the motion. Vote 5:0.

County Manager Don Adams presented the proposed Joint Meeting Schedule with the Sparta Town Council. He reviewed the dates for 2013; April 29, July 29 and September 30.

Commissioner Leys made a motion to approve the 2013 Joint Meeting Schedule with the Sparta Town Council. Commissioner Davis seconded the motion. Vote 5:0.

County Manager Don Adams talked about the Analysis of Impediments to Fair Housing that was presented at the last meeting. He said that he has this on the agenda to see if there are any questions. He said a couple questions that he has been asked are about the census data, and he went back to Michelle Ball who referred us back to the US Census data, which doesn't add to 100% either. He reminded the Board the purpose of this grant is because we have the Scattered Site Housing Grant and how the grant is utilized to help people with their houses. He stated that this is a required analysis and there is an appeal process. He stated the County has had a policy in place for several years.

Commissioner Leys and County Manager Don Adams talked about how the appeal process goes through the County Manager's office and the CDBG, Scattered Site, is administered through High Country Council of Government. He explained that Alleghany County is getting ready to advertise for the smaller projects. He further explained the process for the larger projects. He talked about there is a selection committee for this Grant. He reviewed the process including accepting applications to selecting the receipts for the monies by using a ranking system. He talked about the current status of the projects in the Grant. He reiterated that we are getting ready to accept applications for the smaller projects. They talked about when Alleghany County receives \$400,000 then we contract with High Country to administer the grant, which is paid out of those funds. The County Manager talked about High Country Council of Governments performs these services for 6 of the 7 counties in the region. He explained that this is a deferred loan program. He further explained what happens if someone sells their home or someone passes away.

Commissioner Smith made a motion to approve the Analysis of Impediments to Fair Housing. Commissioner Leys seconded the motion. Vote 5:0.

County Manager Don Adams presented a proposed legislative goal of maintain legislation that keeps the North Carolina Department of Transportation Equity Formula intact and the goal description. He explained the current equity formula.

Chair Cox explained since he is the voting delegate he will present this at the legislative goals conference if the Board wishes.

County Manager Don Adams talked about how he wrote it for the Association to remain more neutral since the larger counties may balk at it.

Commissioner Goudreau made a motion to approve the goal for presenting to the legislative goals conference. Commissioner Davis seconded the motion. Vote 5:0.

County Manager Don Adams talked about the bridge naming request. He said that he had passed out a letter from Sandy Shepherd Woodie requesting the bridge number 9 over prathers creek. He explained the request from the family is to name the bridge after Charles B. Shepherd, who was a law enforcement officer who passed away years ago. He talked about bridge naming normally is for fallen officers.

Chair Cox talked about his father telling him about this incident years ago. He further talked about the procedures for naming a bridge. He asked the County Manager to read the letter.

County Manager Don Adams talked about the procedures of the governing body must pass a resolution of support in order for NCDOT Board to take up naming of a bridge. He said that one criteria is strong people input and support and to explain the degree the public supports the request and the action with an opportunity for input. He talked about the meaning of that language saying the intentions

of passing a resolution requesting the bridge name and allow for input. He said that it is up to the Board how to proceed with that portion.

County Manager Don Adams read the letter from Mrs. Woodie, who is Charles Shepherd's daughter, requesting the bridge name.

Commissioner Goudreau asked about the criteria of being killed in action and how does apply in this situation.

County Manager Don Adams said that he has read through the stories and it is hard to tell if it is.

Commissioner Leys stated the criteria says except when there is a significant connection or association between the individual and a specific state owned road or bridge and she thinks this is a significant connection. She further stated how the strong public input and support says a public hearing to her.

Commissioner Goudreau asked about going back to the criteria of a significant connection and he doesn't see that connection. He said he would love to do it but doesn't want it to come back on a technicality. He talked about checking with DOT.

Commissioner Leys added to see if he was an official deputy at the time.

County Manager Don Adams said that the Board has the stories and he has read through them and he can't make that determination.

Commissioner Goudreau said if DOT is willing to move forward then by all means we should honor him.

Chair Cox and County Manager Don Adams talked about the County Manager will try to get answers by the next meeting.

Commissioner Leys stated the executive committee of the Appalachian District Health Department met, and Ken Richardson has been the Chairman was the last several years. She explained that the executive committee would like for Ken to remain the Chairman so they are recommending to the Alleghany County Board of Commissioners to appoint Ken Richardson as a public at-large member. She said that their meeting is tomorrow.

Commissioner Smith and Commissioner Leys talked about she serves on this committee as the County Commissioners representative.

Chair Cox and Commissioner Leys talked about voting on the public at large members.

Commissioner Leys made a motion to appoint Ken Richardson to serve on the Appalachian District Health Department as the public at large member. Commissioner Smith seconded the motion. Vote 4:1 (John Goudreau).

Commissioner Leys said that she has attended the TDA meeting and they are doing great work. She further said that she attended the Social Services meeting tonight and lots of changes are coming forward.

Being no further business, Commissioner Goudreau made a motion to adjourn at 7:55pm. Commissioner Davis seconded the motion. Vote 5:0.

Respectfully submitted,

Karen Evans
Clerk to the Board

Attest:

Larry Cox
Chairman