

The Alleghany County Board of Commissioners met in regular session on Tuesday, January 20, 2015, at 10:00am in the Board Meeting Room of the County Administration Building, 348 South Main Street, Sparta, North Carolina.

Present: Chair Tom Smith, Vice-Chair Karen Leys, Commissioner Larry Davis, Commissioner Mark Evans, Commissioner Bobby Irwin, County Manager Don Adams, and Clerk to the Board Karen Evans. County Attorney Donna Shumate was present but arrived late.

Chair Smith called the meeting to order, led the Pledge of Allegiance and offered the Invocation.

Commissioner Davis made a motion to approve the agenda for this January 20, 2015, meeting. Commissioner Leys seconded the motion. Vote 5:0.

## AGENDA

Tuesday, January 20, 2015

10:00 AM

- 10:00 Meeting Called To Order, Pledge of Allegiance and Invocation  
Motion on Agenda for January 20, 2015, Meeting  
Motion on Minutes for January 5, 2015, Meeting
- 10:05 A. Linda Hash – Soil and Water’s Administrator Director/Conservationist II
1. Provide an update on information regarding the Alleghany County Agricultural Advisory Board and the Alleghany County Voluntary Agricultural District.
  2. Make an appointment to fill the ex-officio open slot. Action Requested—Appointment a County Commissioner to fill the ex-officio slot on the Alleghany County Agricultural Advisory Board.
  3. Betty Upchurch has been recommended to fill the 3-year vacated term of Lewis Upchurch on the Alleghany County Voluntary Agricultural District. This term will expire on June 30, 2017. Action Requested—Vote on the appointment.
- 10:15 B. Rita Miller, Tax Administrator
1. December Releases and Refunds - Standard release and refund of both automobile and real property taxes due to reasons listed on the report. Actions Requested – Vote on releases and refunds.
  2. December Collections Report - Monthly 2014 collection rates through December as compared to 2013 monthly collection rates. No action requested.
  3. Enforced Collections Report – Summarizes enforced collections for the month of December 2014. No action requested
  4. Payment Agreement Report - List of people with payment agreements who did not make payments. No action requested.
  5. Requests for Release of Residential Solid Waste Fees  
Action Requested – Vote on each Request.
  6. Motor-Vehicle Appeal  
Action Requested – Vote on the appeal.
- 10:30 C. Sheriff Bryan Maines and Lt. Deputy Nick Hawks
- RE: Information will be presented for two grants.
1. Domestic Violence Assistance Grant is for up to the maximum of \$200,000 for up to two designated sworn deputy positions and one part-time victims advocate position for 2 years starting July, 1, 2015 with a 25% in-kind match, which can be existing Deputies salaries for the match. These positions will relate to domestic violence, dating violence, sexual assault, stalking and other related crimes. The Sheriff’s Office will not seek County assistance to outfit these two Deputies with vehicles or any other equipment or uniforms. Action Requested – Vote on submitting grant application.

2. Law Enforcement Block Grant up to \$15,000. This is a 0% County match grant. The purpose of the grant funds will be used to purchase mobile data terminals for patrol vehicles. Action Requested – Vote on submitting grant application.

10:40 D. Travis Dalton – Planner

1. Amendment to the Property Rights Protection Ordinance as recommended by the Planning Board. Action Requested – Schedule a Public Hearing on the matter.
2. Planning Board Appointments—2 Planning Board seats are open. Jason Williams has agreed to serve another term on the Board. Nominations will be need to be submitted to fill the other seat. Action Requested – Vote on the appointment of Jason Williams and open the other seat up for nominations.
3. Wireless Community Tower Ordinance Review. No action requested.

10:50 E. Martin Starnes and Associates

RE: Presentation of FY 2013/14 Audit. No action requested.

11:10 F. Joy Hines – Finance Officer

RE: Finance Office Annual Report. No action requested.

11:15 G. Dare Stromer/Jennifer Cooper – Blue Ridge Opportunity Commission

RE: Blue Ridge Opportunity Commissioner’s Community Services Block Grant for FY 2015-2016. Information will be presented on the Block Grant. Action Requested – Vote on the forms 210, forms 212 and their budget for the grant.

11:30 H. General Business

1. Budget Amendment for Arts Guild of Alleghany  
Budget Amendment General Fund #11 in the amount of \$3,300 approved at the last meeting.  
Action Requested – Vote on the Budget Amendment General Fund #11.
2. Proposed FY 2015/16 Budget Calendar  
Proposed schedule for the upcoming 2015/16 budget process.  
Action Requested – Vote on setting the budget schedule.

I. Public Comments—30 minutes

J. Commissioners Comments

K. Closed Session – NCGS 143-318.11 (a) (3) – legal and (a) (6) – personnel

L. Adjourn

Commissioner Evans made a motion to approve the minutes from the January 5, 2015, meeting. Commissioner Irwin seconded the motion. Vote 5:0.

Linda Hash, Soil and Water’s Administrator Director/Conservationist II, explained the difference between the two agriculture boards; Alleghany County Voluntary Agricultural District Farmland Preservation Program and Alleghany County Agricultural Advisory Board. She presented information about how to enrollment in the Ag district program. She further presented information about the Farmland Preservation Plan and the purpose of the Plan. She talked about the need to update the Ordinance in the future including the name of the committee. She recommended continuing to make appointments and different ways to separate them.

Chair Smith and Linda Hash talked about the need to have two separate boards and may combine them at a later date.

Commissioner Irwin and Linda Hash talked about these boards do not currently meet together to discuss similar ideas. She further talked about the next meeting is to prioritize their goals, and possibly could meet together, if needed. They talked about how the properties are flagged for the voluntary farmland district. She said this program started in 2003. She provided information about the Program including the number of acreage. He talked about the Program and the Plan are very similar and understands the possibility to combine boards in the future. He urged all farmers to look into being participants.

Commissioner Davis made a motion to appoint Commissioner Irwin to serve on the Alleghany County Agricultural Advisory Board. Commissioner Evans seconded the motion. Vote 5:0.

Commissioner Irwin made a motion to appoint Betty Upchurch to fill the vacated term on the Alleghany County Voluntary Agricultural District. Commissioner Evans seconded the motion. Vote 5:0.

Rita Miller, Tax Administrator, presented the December auto releases.

Commissioner Leys and Rita Miller talked about the wills are closed so these bills cannot be collected.

Commissioner Leys made a motion to approve the December auto releases. Commissioner Irwin seconded the motion. Vote 5:0.

Commissioner Irwin said this is open to the public and if anyone wants a copy they can ask Don or Karen.

County Attorney Donna Shumate arrived at 10:15am.

Rita Miller presented the December auto refunds under the vehicle tax system (VTS).

Chair Smith and Rita Miller talked about how the tax/tag collection is working.

Commissioner Evans and Rita Miller talked about what is involved with the situs errors.

Commissioner Evans mentioned that vehicles are taxed on standard mileage and if someone drives a lot they may want to come to the Tax Office to discuss the high mileage.

Commissioner Evans made a motion to approve the VTS December auto refunds. Commissioner Leys seconded the motion. Vote 5:0.

Rita Miller presented the December real property releases. She explained they have two separate computer systems and some parcels got double billed. She further explained reasons to release these bills.

Commissioner Leys made a motion to approve the December real property releases. Commissioner Evans seconded the motion. Vote 5:0.

Rita Miller presented the December real property refunds. She talked about some people requested that the refunds be applied to their 2015 taxes.

Commissioner Davis made a motion to approve the December real property refunds. Commissioner Irwin seconded the motion. Vote 5:0.

Rita Miller presented the December 2014 reports; collections' report, enforced collection report, payment agreement report.

Rita Miller presented a request for release of a residential solid waste fee. She said she has information that Blue Ridge Electric has turned off the electricity.

Commissioner Evans and Rita Miller talked about ways for the solid waste fee to be added back once it is removed. The County Manager and Rita Miller talked about the Tax Office gets the building permit data monthly, also.

Commissioner Leys made a motion to approve the request to release solid waste fee at 1221 Piney Creek School Road. Commissioner Davis seconded the motion. Vote 5:0.

Rita Miller presented a request for release of a residential solid waste fee in Olde Beau where the construction has not been completed.

Chair Smith and Rita Miller talked about the taxes are paid.

Commissioner Leys made a motion to approve the release. Commissioner Evans seconded the motion. Vote 5:0.

Rita Miller presented a request for release of a residential solid waste fee. She explained this is the same situation as the previous request. She said that that she does recommend releasing the fee.

Commissioner Leys made a motion to approve the release. Commissioner Evans seconded the motion. Vote 5:0.

Rita Miller presented a request for release of a residential solid waste fee for property on Pine Swamp Road. She said the taxes are paid, and she recommends to release the fees.

Commissioner Evans made a motion to approve. Commissioner Irwin seconded the motion. Vote 5:0.

Rita Miller presented a motor-vehicle appeal. She explained the motorcycle has an assessed value of \$17,458, property owner submitted an appraisal of \$14,500, and the property owner also submitted information about like vehicles currently for sale. She talked about using NADA and Kelly Blue Book to determine her recommendation. She said her recommendation is go with the appraised value of \$14,500.

Commissioner Irwin and Rita Miller talked about she has not personally seen the vehicle.

Chair Smith and Rita Miller talked about her recommendation is appraised value.

Commissioner Irwin and Rita Miller discussed her recommendation. She explained that uses the median value when determining her recommendation.

William Maxwell talked about depreciation and his research shows the value between \$13,500 and \$14,500.

Rita Miller explained the system uses a Schedule B, 12-year depreciation, and this vehicle is shown at 85%.

The County Manager explained how an appeal occurs.

Rita Miller explained they have vehicle appeals monthly, take the median prices not the highest or lowest.

Commissioner Leys said it is fair to go with the median price.

Commissioner Leys made a motion to accept the recommendation of \$14,500.

Commissioner Irwin talked about the property owner has submitted evidence on the vehicle appeal.

Chair Smith seconded the motion on the floor. Vote 4:1 (Bobby Irwin).

Rita Miller talked about the revaluation notices have gone in the mail and hearings will be starting on February 9.

Chair Smith and Rita Miller talked about the revaluation people are available to answer questions during these hearings.

Commissioner Irwin and Rita Miller talked about it hasn't been the level of appeals that there were in 2007. She talked about running an ad in the newspaper about the appeal process.

Commissioner Evans asked what happens when the payment agreement is voided. Rita Miller explained then it goes to enforced collections including the Debt Set-Off Program.

Sheriff Bryan Maines provided a brief report of calls since he took office on December 1 along with their activities including a recent outstanding warrant round-up, saving money in overtime, creating a TIP line. He talked about he will be creating an Are You Ok program soon for the elderly.

Commissioner Evans asked about the costs of the TIP line. The Sheriff said it is around \$13.

Commissioner Irwin and the Sheriff talked about the TIP line recording the phone number unless it's marked private. Sheriff Maines talked about it is only for information people want to provide.

Chair Smith and Sheriff Maines talked about the outstanding warrants and the recent roundup.

Commissioner Leys asked what the nature of the charges in roundup was. The Sheriff answered most were misdemeanors like failure to appear. Commissioner Leys said thank you for presenting the information.

Lieutenant Nick Hawks presented information about applying for two grants through the Governors Crime Commission. He explained that the first one is a \$200,000 domestic violence grant. He provided the history for last year that 40% of deputies' calls involved some form of domestic violence, child abuse, or exploitation issues. He explained that this grant is for two full-time positions who will receive crisis calls. He said this is for July 1, 2015 to June 30, 2017, and the required match can be existing salaries. He stated that the Sheriff's Office will not seek any County funding to outfit these two deputies with vehicles, equipment, uniforms.

Commissioner Irwin asked about two deputies assigned to this program and doing other work too, if needed. Nick Hawks answered yes, they will. They discussed this is \$200,000 over two-year period, and what happens after that is they will continue to ask for grant monies. Nick Hawks explained that these people will be told upfront that this job is paid for by grant funds. Commissioner Irwin said what happens in the long run is his concern.

Chair Smith asked if this grant is approved, will training will be available. Nick Hawks said yes because it is specialized training.

Commissioner Evans and Nick Hawks talked about the Governors Crime Commission will have no control over the local Sheriff's Office, and the required things are already required.

Commissioner Leys asked who the grant writer is. Sheriff Maines indicated Nick Hawks. She stated her appreciation.

Commissioner Leys made a motion to approve this request to apply for this grant. Commissioner Irwin seconded the motion. Vote 5:0.

Nick Hawks presented information about a \$15,000 block grant. He explained this is to provide mobile data units in each of the vehicles. He further explained that this requires 0% county match.

Commissioner Leys and Nick Hawks talked about this is for computers in the vehicles.

Commissioner Davis and Nick Hawks talked about just like the Highway Patrol has.

Commissioner Irwin made a motion to approve this request to apply for this grant. Commissioner Davis seconded the motion. Vote 5:0.

Commissioner Irwin asked if the Sheriff's Office has communications problems in the county. The Sheriff explained that they have already have conversations with the County Manager and will continue to do so. Commissioner Irwin asked if two officers respond to areas without communications. Sheriff Maines explained that he implemented two officers per shift

for coverage and in any emergency situation they always send out two officers. Commissioner Irwin asked about communications. The Sheriff talked about continuing the conversations. County Manager Don Adams explained that this will be a budget conversation and we are talking about hundreds of thousands of dollars.

Commissioner Evans and Nick Hawks talked about the vehicle computers work off cell towers.

Travis Dalton, Planner, came before the Board with a recommendation from the Planning Board regarding a change in the Property Rights Protection Ordinance. He presented the recommended change of the vote required from 4/5 to 3/5 in order to match the State law.

Commissioner Leys asked is this just the Planning Board or the Commissioners. Travis Dalton explained that it is any board that operates under the Property Rights Protection Ordinance.

Chair Smith and County Manager Don Adams talked about scheduling the public hearing with the understanding to consider this Ordinance-language change. They talked about scheduling the public hearing.

Commissioner Leys made a motion to schedule the public hearing on March 2. Commissioner Davis seconded the motion. Vote 5:0.

Travis Dalton explained that Planning Board terms are for three years. He talked about Jason Williams' term is expiring, and he is willing to continue on an annual basis.

County Manager Don Adams presented information to the Commissioners; Ordinance to create the Planning Board, Planning Board application, list of current members. He reviewed the highlights of the Ordinance including staggering the membership. He talked about reappointing Jason Williams for a three-year term, and open up the appointments to the Planning Board for the Bill Brooks vacancy. He stated that Jason Williams' term is for three years but he wants to take it a year at a time and then fill the Cherry Lane slot is the action before the Commissioners.

Commissioner Irwin, Travis Dalton and the County Manager talked about timing of the appointment.

Chair Smith and Travis Dalton talked about the process of the appointment.

Commissioner Leys and County Manager Don Adams talked about ways to market this open slot.

Chair Smith and the County Manager talked about needing a volunteer from Cherry Lane.

Commissioner Leys made a motion to appoint Jason Williams for a three-year term and open the remaining seat for nominations. Commissioner Davis seconded the motion. Vote 5:0.

Travis Dalton talked about two cell tower applications have went through the Planning Board and will be coming before this Board soon. He said some other towers are in the process of being planned also. He explained the highlights of the Wireless Communication Tower Ordinance.

Commissioner Irwin and Travis Dalton talked about Travis Dalton has not had any complaints about interference when cell towers go up. County Manager Don Adams explained the complaints are about property values and sight views.

The County Manager explained the Property Rights Protection Ordinance and the two applications' appeal time have expired, and the Wireless Communication Tower is what is before the Commissioners at the next meeting.

Travis Dalton talked about the development standards in the Ordinance.

Commissioner Irwin asked how the permit fee was set. The County Manager, County Attorney and Planner talked about the fee was set by the Commissioners in 2001.

The County Manager talked about the differences between the Property Rights Protection Ordinance and the Wireless Communication Tower.

Commissioner Leys asked if there is anything about when the towers must be functioning after installation. Travis Dalton said no there isn't, and the AT&T towers aren't working yet. She said she would like to see language about a timeline of when the towers are to be functioning. Commissioner Irwin asked about Article 10, Tower Removal. The County Attorney said it has to be operational first, and said she would like to look at Property Rights Protection Ordinance. County Manager Don Adams and Travis Dalton talked about having to get a building permit, which has to be started within 6 months and is valid for 12 months after the last inspection. The County Manager Don Adams said it is difficult to override State law on the length of time in the building permit.

Commissioner Leys asked about the 125-foot tower height and why are so many towers needed. Travis Dalton explained that the new towers are needed because of the data transfer for 4G. Commissioner Leys asked has anyone co-located on the AT&T towers. Travis Dalton said not at this time. The County Manager explained if they are locating more than a mile away from a tower they don't have to prove anything. Commissioner Leys said the 1 mile area needs to be studied too.

County Manager Don Adams requested that each Commissioner review this Ordinance and if the majority of the Board wants changes, then they will come back with the changes.

Commissioner Evans talked about the FCC referenced in the Ordinance might be a good reference for the Commissioners to look at.

Commissioner Leys made a motion to have a study done on the timeline on functionality, some data on the height of the tower and proximity of the towers to each other.

Commissioner Irwin asked could we look at \$500 fee at the same time.

Commissioner Leys agreed.

Commissioner Evans talked about providing time to have another conversation on this because there may be more information.

Commissioner Irwin seconded the motion on the floor. Vote 5:0.

Chair Smith declared a brief recess.

Matt Braswell with Martin Starnes & Associates presented a PowerPoint presentation regarding Alleghany County's 2014 audited financial statements. During the presentation Commissioner Leys and County Manager Don Adams talked about the Register of Deeds Enhancement Fund. The County Manager talked about seeing a small amount of growth in sales tax, Social Services federal/state grants, and USDA payoff on refinancing debt.

County Manager Don Adams referred to pages 20 and 21 in the audit regarding the Transfer Facility. He talked about the finances including once this gets into the negative we will get letters from the Local Government Commission. He said that starting on page 59 will look like the budget book/book ordinance and lines up with the budget.

Commissioner Leys, County Manager Don Adams and Matt Braswell talked about debt. They further talked about the net-debt ratio, Local Government Commission (LGC) having other standards in place, 15% of annual operating budget takes special permission from LGC and anything less than 15%, as long as the County is in good financial standings, is pretty

much automatic with the LGC. The County Manager stated that it is subjective whether we have high debt or not.

Commissioner Leys stated it would be good if the debt projects were labeled in the audit. County Manager Don Adams said that he can give the Board a copy of his debt sheet.

Commissioner Leys and Matt Braswell talked about assets listed in the audit. Commissioner Leys, the County Manager and Matt Braswell talked about the construction in progress projects.

Commissioner Leys and Matt Braswell talked about the collection rate for the Tax Office increased. The County Manager pointed out prior year taxes in the audit.

Commissioner Leys talked about there were no significant findings. Matt Braswell stated no, there is only the one note about the drafting of the financials. The County Manager explained it is because we do not have a CPA on staff. Matt Braswell agreed. The County Manager said that we have had the same finding since the rule changed and our Finance Officer does a great job getting the information.

Commissioner Leys said overall this is a great audit. Matt Braswell said that it is very solid with no recommended changes.

Joy Hines, Finance Officer, presented the Finance Office's annual report for July 1, 2013 to June 30, 2014 including the number of transactions for accounts payable. She explained the purchase order system. She further explained the invoice process. She reviewed the number of transactions for accounts receivable, general accounting, budget amendments, new employees, wellness program, and the County switched banks in June 2013. She talked about the amount of bank fees in 2013/14 and the amount made so far in 2014/15. She explained the earnings credit allowance and positive pay. She talked about the flu-shot clinic participation. She explained the other account was closed.

Commissioner Leys said thank you very much.

Chair Smith said thank you for the work you do.

Jennifer Cooper with Blue Ridge Opportunity Commission presented information for their CDBG grant; Family Self-Sufficiency and Emergency Assistance Program. She talked about the OEO Form 210 including the identification of the problem, population, resources available, resources needed, long-range goal, and strategies for achieving long-term goal. She presented Form 212 for the Emergency Assistance Program. She reviewed the Form 210 for the Family Self-Sufficiency Program. She presented Form 212 for the Family Self-Sufficiency Program and explained it. She reviewed the total for the Emergency Assistance Program in the amount of \$92,122 and Family Self-Sufficiency in the amount of \$91,591. She said that they are not required to have County matching funds.

Chair Smith and Jennifer Cooper talked about the goals in the Program and how they decided to adjust the goals. They discussed the different sources of funding especially the round-up payments with Blue Ridge Electric. Dare Stromer explained how the round-up funds are used for assistance. Jennifer Cooper and Dare Stromer further explained the heating assistance program in each of the counties and how their funding is down.

Commissioner Leys made a motion to approve the forms 210 and 212 and the budget for their grant. Commissioner Irwin seconded the motion. Vote 5:0.

County Manager Don Adams stated that these funds do not come through the County.

County Manager Don Adams presented budget amendment General Fund #11 in the amount of \$3,300 for the Arts Guild.

Commissioner Leys made a motion to approve budget amendment General Fund #11 in the amount of \$3,300. Commissioner Davis seconded the motion. Vote 5:0.



County Manager Don Adams presented the proposed 2015/16 budget schedule. He reviewed the key dates in the schedule. He explained the budget timeline. He asked does the Board want to have planning sessions. He recommended the Board keep their calendars open in June for budget.

Chair Smith talked about when we get closer we will set the meeting dates for June. The County Manager agreed. They talked about the department head meeting in March starts everything. The County Manager reiterated information on the schedule including the requests will come before the Commissioners on April 20 and actions occurring in May concerning the budget.

Chair Smith asked for comments from the Board.

County Manager Don Adams reiterated that this process does not stop the Board from having a planning session.

Commissioner Evans made a motion to approve the budget schedule. Commissioner Davis seconded the motion. Vote 5:0.

Chair Smith opened the floor for public comments. None were received. He closed that portion of the meeting.

Commissioner Evans mentioned that it is national radon action month. He suggested everyone read the article in the newspaper. He said that free test kits are available at the Extension Service. He let everyone know what he is looking at when he votes on issues that come before the Commissioners.

Commissioner Irwin talked about Commissioner Evans, Chair Smith, and himself went to the School of Government's Essentials of County Government and ethics class. He said he learned a lot, and it was very good. He stated that he looks forward to going to more workshops.

Commissioner Leys provided the Commissioners a handout of an email that she received Friday evening regarding action at the recent NCACC Legislative Goals Conference. She said Chair Smith was our voting delegate with 89 counties being represented. She reviewed the top 5 goals as decided at the Conference. She stated that it was a great conference.

Chair Smith explained that these goals were discussed at length. He further explained the process for the goals including the NCACC committees.

Commissioner Evans made a motion to enter into closed session under NCGS 143-318.11 (a) (3)—legal and (a) (6)—personnel at 1:26pm. Commissioner Leys seconded the motion. Vote 5:0.

Commissioner Leys made a motion to adjourn closed session at 2:25pm and reconvened the regular meeting. Commissioner Davis seconded the motion. Vote 5:0.

Chair Smith stated no decisions were made during closed session.

Being no further business, Commissioner Irwin made a motion to adjourn at 2:26pm. Commissioner Davis seconded the motion. Vote 5:0.

Respectfully submitted,

Attest:

Karen Evans  
Clerk to the Board

Tom Smith  
Chair