

The Alleghany County Board of Commissioners met in regular session on Monday, February 21, 2011, at 10:00am in the Board Meeting Room of the County Administration Building, 348 South Main Street, Sparta, North Carolina.

Present: Chairman Ken Richardson, Vice-Chair Tom Smith, Commissioner Larry Cox, Commissioner John Goudreau, Commissioner Steve Roten, County Attorney Donna Shumate, County Manager Don Adams, and Clerk to the Board Karen Evans.

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

Commissioner Cox made a motion to approve the agenda for this February 21, 2011, meeting. Commissioner Goudreau seconded the motion. Vote 5:0.

AGENDA
Monday, February 21, 2011
10:00 AM

- 10:00 Meeting Called To Order, Pledge of Allegiance and Silent Prayer
Motion on Agenda for February 21, 2011, meeting
Motion on Minutes for February 7, 2011, meeting
- 10:05 A. Public Comments—30 minutes
B. Rita Miller
RE: January Releases and Refunds
Solid Waste Appeal
C. April Hamm
RE: Surplus 2005 Van
System Safety Plan
D. Joy Hines
RE: Audit Contract for FY 2010/11
Finance Office Annual Report
E. Rescue Squad Annual Report
F. Library Annual Report
G. Dennis Smith
RE: Prayer at Meetings
H. County Manager's Business
1. Fuel Oil Bids
2. Extension Service Budget Amendment
3. Long Term Care Community Advisory Committee Board Appointment
4. Blue Star Dedication
5. TIP—Transportation Improvement Plan
I. County Commissioners' Business
1. Open Commissioners' Comments—Commissioner Goudreau
Discussion about Commissioners providing comments during the meeting
2. Joint Ongoing Meetings with the Board of Education—Commissioner Goudreau
Discussion about having ongoing meetings with the Board of Education
3. Develop a Fiscal Policy—Commissioner Goudreau
Discussion about developing a fiscal policy
4. North Carolina Attorney General—Chair Richardson
Discussion about Attorney General
5. Commissioners' Retreat—Chair Richardson
Discussion about Upcoming Retreat
J. Closed Session—NCGS 143-318.11 (a) (3)—economic development
NCGS 143-318.11 (a) (6)—personnel
K. Recess to Alleghany High School for Tour

Commissioner Goudreau made a motion to approve the minutes from the February 7, 2011, meeting. Commissioner Cox seconded the motion. Vote 5:0.

Chair Richardson asked for public comments.

Sandy Carter Herndon came before the Board regarding prayer. She stated that our County and our Country are predominately Christian areas. She further stated that the Commissioners have caused a divide in the Board and in the people the Commissioners represent. She explained that this is taking away time from other things that need to be worked on. She said that the Board has made a decision without talking to the citizens and acting on their opinion because if the Board had talked to the citizens then the prayer wouldn't have been removed, and she sees no reason, short of a court order, why the Board cannot have a public prayer and a silent prayer. She explained the reasons of allowing both. She talked about the lack of confidence of the Commissioners in the community. She said that she hopes the Board will reconsider.

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

Rita Miller, Assistant Tax Administrator, presented the January auto releases and refunds.

Commissioner Roten made a motion to approve the January auto releases and refunds. Commissioner Goudreau seconded the motion. Vote 5:0.

Rita Miler presented the January real releases and refunds.

Commissioner Roten made a motion to approve the January real releases and refunds. Commissioner Goudreau seconded the motion. Vote 5:0.

Rita Miller presented a solid waste fee appeal for a house for Mr. and Mrs. Jones. She explained the dwelling. She said that no one lives in the house.

Commissioner Roten and Rita Miller discussed this dwelling currently has electricity.

Chair Richardson and Rita Miller talked about the Tax Office doesn't know if or when someone moves into the dwelling.

Commissioner Roten talked about some of the criteria in the past is whether the dwelling has electricity and if it is livable.

Commissioner Roten made a motion to deny the request. Commissioner Smith seconded the motion. Vote 5:0.

County Attorney Donna Shumate updated the Board about one matter that the County had before the Property Tax Commission and recently received notification that the matter has been denied so Alleghany County doesn't have any matters before the Property Tax Commission.

April Hamm, Alleghany in Motion Director, came before the Board to request that a 2005 Dodge Caravan be declared surplus. She explained the mileage on the van is 291,000 and the transmission came out of it in September. She talked about the possibility of selling the van by sealed bids since the County doesn't have an auction scheduled.

Commissioner Cox made a motion to declare the van surplus. Commissioner Roten seconded the motion. Vote 5:0.

April Hamm talked about the System Safety Program Plan, which is 58 pages and is available in her office for everyone's review. She further stated that she will be back at the next meeting for approval. She reviewed the highlights of the Plan including the six core elements being driver/employee selection, driver/employee training, safety data analysis, drug and alcohol program, vehicle maintenance, security. She reiterated that the Plan is available in her office.

Commissioner Smith and April Hamm talked about the training requirements and how/when they are offered.

Joy Hines, Finance Officer, gave the Board copies of the audit contract for Martin Starnes for year ending June 30, 2011, for a total costs in the amount of \$38,725. She stated that she recommends approval of the audit contract.

County Manager Don Adams and Joy Hines talked about placing this on the next agenda since it wasn't in the packets because the County Attorney needs to review the contract.

County Manager Don Adams and Joy Hines discussed that this is \$500 higher than the previous contract.

Commissioner Cox and Joy Hines talked about the County has had an audit contract with Martin Starnes for about 10 years.

Joy Hines presented the annual report for the Finance Office. She reviewed the number/types of the different transactions that went through the Finance Office, number of payroll direct deposits, purchase-order system, flu-shot clinic, and the discount drug card through NACo. She further reviewed some of the changes that have occurred including an IRS audit and changing investments from CDs to saving accounts because of the higher interest rate. She talked about they are currently looking at different banks and the things she is looking for to switch banks. She explained that she is watching the bank fees where people use bank cards in the Tax Office since there is a fee for that service. She said that open enrollment meetings will be in June; budget worksheets go out March 1 and are due on April 13. She reviewed the number of people on the medical insurance plan.

Commissioner Cox and Joy Hines talked about the 3% fee for people using the cards and they are keeping a watch on this to make sure the County isn't losing money.

Chair Richardson thanked Joy Hines for her report.

Brandon Jones, Captain of the Alleghany County Rescue Squad, came before the Board to present their annual report. He reviewed the number of people on the roster and the breakdown of the membership according to each level of service. He presented information about the number/type of calls during the last fiscal year, number of man hours for those calls, and number/types of training hours. He explained that their budget is on target at this time but donations are currently down. He talked about he made a presentation in June/July about updating their contract with the County.

County Attorney Donna Shumate and Brandon Jones talked about the status of the contract being she has a contract with some changes from Gerald Leftwich and needs for Brandon Jones to review the changes.

Commissioner Smith and Chair Richardson thanked the Rescue Squad for their dedication and the report.

Debbie Brewer provided information to the Board about the Library's annual report. She talked about the 2009-2010 highlights. She reviewed numbers showing the yearly counts from January 2010 to December 2010. She talked about grants that they have received and services to be provided through the grants. She further talked about activities that they are currently doing. She explained upcoming events.

Commissioner Cox stated as a parent of young children, he greatly appreciates what the Library does.

Debbie Brewer talked about a document in the Commissioners' packets about why libraries are important and encouraged the Board to look at it. She talked about the Board's continued support.

Dennis Smith talked about at the last meeting; he gave the Board a folder with 13 former Commissioners' signatures showing their support for public prayer. He explained that there are 16, 2 have moved out of the county, Sandy Carter Herndon was out of town and has now signed the statement, too. Jerry Brooks provided copies to the Commissioners showing her support. Dennis Smith read to the Board a revised statement, "As a former Alleghany County Commissioner I, Graylen Blevins, David Carpenter, Dale Duncan, Eldon Edwards, Charity Gambill Gwyn, John Hampton, Sandy Carter Herndon, Randy Miller, Doug Murphy, Burton Osborne, Oscar Reeves, Milly Richardson, Warren Taylor, Leo Tompkins support the public acknowledgement of God in the

form of a vocal prayer at the beginning of the Alleghany County Commissioners meetings.” He talked about the actions at the last meeting where three voted to not reinstate prayer and the refusal to explain why is perplexing. He said it seems that there is more going on here than having prayer before the meeting and wondered if the three have gotten together and agreed. He asked Commissioner Smith, Commissioner Cox and Chair Richardson why it was changed from a moment of silence to a silent prayer. He quoted biblical scriptures regarding prayer. He asked that the Board reinstate the vocal prayer before the meetings.

County Manager Don Adams explained fuel oil bids have been received from G&B and Hometown Fuel. He further explained the breakdown of the bids including there are two components to the bids; county operations and crisis operations through Social Services. He explained the price difference between the two bids and the two components. He talked about his recommendation is go with Hometown Fuel.

Commissioner Roten made a motion to approve awarding the bid to Hometown Fuel. Commissioner Cox seconded the motion.

Chair Richardson and County Manager Don Adams talked about this is effective immediately for a period of one year.

The Board voted on the motion on the floor. Vote 5:0.

County Manager Don Adams presented budget amendment General Fund #16 in the amount of \$3,750. He explained that this is for Alleghany’s portion of the IPM technician that is shared with Ashe and Watauga counties.

Commissioner Roten made a motion to approve budget amendment General Fund #16 in the amount of \$3,750. Commissioner Smith seconded the motion. Vote 5:0.

County Manager Don Adams presented a letter requesting that Vivian Valudess Fauli be reappointed to the Alleghany County Long Term Care Community Advisory Committee. He explained the purpose of this committee.

Commissioner Roten asked if anyone else is interested in being appointed.

County Manager Don Adams stated not that he is aware.

Commissioner Cox made a motion to approve the request. Commissioner Goudreau seconded the motion. Vote 5:0.

County Manager Don Adams said that if anyone is interested in serving on this committee to contact him or any Commissioner.

County Manager Don Adams informed everyone that the Blue Star Dedication will be on March 17 at 10:00am at the VFW Building. He reminded everyone that this is dedicating the Sparta Bypass as a Blue Star Memorial Highway.

County Manager Don Adams explained the process for the Transportation Improvement Plan (TIP) including that on March 21 the NC Department of Transportation will be holding a public hearing to hear comments on the draft TIP. He explained what has happened in the past, where he and a Rural Planning Organization (RPO) representative attended this meeting and expressed the Board’s comments. He reviewed the information presented at the last TIP public hearing. He explained that design is underway for Jane Taylor Mountain. He continued reviewing the summary of what was presented at the last public hearing. He discussed High Country RPO’s 2011-2017 TIP priorities’ list. He reviewed the purpose of the RPO. He continued reviewing the packet, discussed the RPO ranking list again and when roads enter into the right-of-way stage they come off the RPO list. He asked the Board to consider which of the remaining priorities are the most important. He continued reviewing TIP information that he provided to the Commissioners including the proposed draft TIP for comments at the upcoming public hearing. He said that he is asking the Board to comment on updating the information for the upcoming public hearing.

Commissioner Cox asked how a project moves up the scale, for example, Oklahoma Road. County Manager Don Adams explained how the RPO works and how Highway 21 got ranked so high because Alleghany County doesn't have a standard 2-lane highway through the county. The County Manager explained why he is asking the Board to rank the roads for the RPO.

Commissioner Goudreau and County Manager Don Adams talked about this is where to place the issue of Clark Hop Road.

Commissioner Goudreau talked about wanting to have Board discussions about allowing more discussions/conversations by the Commissioners during the meetings about things that come up during the meetings. He explained the need to have a format to have conversations about the topics during the meetings. He talked about the rules of procedures that the Board adopted.

Chair Richardson said it is important for that to happen. He further said that for him, it is just telling him that a Commissioner would like to make a comment. He talked about the rules of procedures and the issue of voting on matters that are not on the agenda. He said that he doesn't really see a problem with discussions.

Commissioner Roten said that he hopes that is the way it is. He talked about there used to be a place at the end of the agenda where each Commissioner went around and talked.

Commissioner Cox said that he agreed with Commissioner Goudreau that sometimes he felt the need to say things.

Commissioner Goudreau and Chair Richardson talked about whether the agenda needs to be changed. Chair Richardson talked about what Commissioner Roten was talking about having the wording of other comments noted at the end of the Commissioners' portion of the agenda.

Commissioner Goudreau asked for discussions about having joint ongoing talks with the Board of Education to better understand their goals and having more of a two-way street with them. He said that he thinks it would help to understand what they are working on and what the Commissioners are working with plus he thinks it would improve communications with the Board of Education.

Commissioner Smith asked how many times do the Commissioners meet with them.

County Manager Don Adams stated that he has worked with Commissioners that have quarterly meetings with the Board of Education to no meetings to subcommittees. He explained that if a Commissioner has agenda items it would help if Dr. Cox or he could help facilitate those meetings. He used an example of frequent meetings in the past when the Boards were looking at Sparta School.

Chair Richardson talked about during budget time they come once or twice, two Commissioner members and two Board of Education members meet on a regular basis and they let us know when full board meetings are needed. He said that anytime any Commissioner wants a meeting with the Board of Education, it can be scheduled. He talked about the subcommittee again.

Commissioner Cox said as a member of the subcommittee they had a meeting in January, and he and Commissioner Smith were new. He further said that he will commit to bringing a more organized report back to the Board. He reiterated that he wasn't sure what they were supposed to do but will bring more information back.

Commissioner Smith said at that meeting the information that Dr. Cox presented to the Commissioners was what they had discussed.

Commissioner Cox agreed and said that safety issues were the main focus of that meeting.

County Manager Don Adams talked about focal points for the meetings. He used an example of why the two boards need to meet separately on issues and then both boards can meet together.

Commissioner Goudreau asked about looking at the development of a fiscal policy. He said he has talked to the County Manager about it. He used debt service as an example and said the policy would be an overall road map about where the Commissioners want to go as a Board financially.

Chair Richardson asked if Commissioner Goudreau would be willing to pursue that with the County Manager and bring it back before the Board.

Commissioner Goudreau agreed.

Commissioner Cox said that these are items that he was thinking about for discussions at the retreat.

Chair Richardson talked about to better understand the constitutionality of prayer he would like for this Board to direct the County Attorney to get an opinion from the Attorney General about prayer.

Commissioner Cox made a motion to authorize the County Attorney to get an opinion from the Attorney General regarding prayer. Commissioner Smith seconded the motion.

Commissioner Cox talked about this issue has been on our minds. He said that it isn't correct that he hasn't listened or don't have concerns. He asked that the next part be put in the newspaper as it is. He read a prepared statement (see attached) regarding his opinions about having prayer and his reasons for voting as he has including his feelings about the need to move forward doing the people's business.

County Attorney Donna Shumate said she has no problem contacting the Attorney General and she contacted the School of Government to make sure she has been telling the Board correctly. She explained she asked what other counties are doing and was referred to the Forsyth County case. She further explained that when she provided information to the Board about the Forsyth County case, she didn't have the court order but the Board's practice fell inline with how prayer was being offered in Forsyth County.

Commissioner Roten asked if this case is still under appeal.

County Attorney Donna Shumate explained that it is her understanding that it isn't under appeal and is currently case law. She read sections from the Federal Court order regarding Joyner vs. Forsyth County including the case involves whether the Government has endorsed a particular belief or faith in violation of the Establishment Clause, advancing one specific creed at the outset of each public meeting discourages the diverse view. She continued reading the Court Order which listed options available to Forsyth County; could choose to not open the meeting with prayer, could choose to open their meetings with non-sectarian prayers which could be offered by one of the Commissioners or by a designated individual who agrees to offer non-sectarian prayers that do not undermine the commitment to participation by persons of all faiths in public life and instead evoke common and inclusive themes. She read the last portion of the Order that states the Forsyth County policy violates the Establishment Clause. She explained that how Board has done in the past affiliates the Board with one particular religion which that practice has been declared unconstitutional. She explained that if the Board can do as what occurred at this meeting she doesn't think it is a violation since it does not affiliate the Board with one particular faith.

Commissioner Goudreau talked about in his motions in the past he hasn't made any motions to state that it should be a Christian prayer or anything like that. He stated that he definitely believes that way but case law shows that it cannot be done that way. He talked about today's opening prayer doesn't violate that and he believes that the Board can open that way if the Board wishes which has always been his intentions. He said that he doesn't believe like that and he wasn't trying to do anything to harm the county.

Commissioner Roten said that he doesn't see what the Board did today as not being a silent prayer because it is. He further said that the Board needs to move forward. He stated that he does not doubt anyone's religion or affiliation. He talked about the need to move on, have a prayer and still be in compliance. He further talked about he hopes to find common ground and move forward.

The Board voted on the floor. Vote 5:0.

Commissioner Cox stated that he appreciates the attempt to work together and is grateful for that.

Chair Richardson said that he is disappointed that the retreat is not being discussed and respectfully request to reschedule it. He explained that it has come to his attention that someone is saying that they are going to bring a .357 handgun to the retreat to disrupt the meeting. He talked about trying to schedule a retreat because he is not giving up on the retreat but thinks it needs to be rescheduled down the road. He said that it is up to the Board. He further said that at this point, he doesn't think it would be productive.

Commissioner Smith talked about the retreat and the list of topics, and he thinks that is a lot of issues to take up in one day. He further talked about the Board may need to prioritize those issues. He said that the Governor's budget has just now come out, the potential impact to counties and nobody has any idea how that is going to come about.

Chair Richardson talked about having the County Manager take the list and have each Commissioner rank their priorities.

Commissioner Goudreau agreed with Commissioner Smith about the need for a retreat. He said that it is very dishearten that those comments were made. He further said the Board needs to work together and a retreat is a way to do it.

Chair Richardson summarized what he thinks he is hearing; a retreat is important and asked about having the retreat as scheduled on Friday. He talked about some issues that may be impacted by the General Assembly and others won't. He asked again whether to proceed with Friday.

County Manager Don Adams talked about the timing of rescheduling the retreat including budgets are due to him on April 13. He further talked about working on the timeline backwards. He said he is assuming it is going to take more than one retreat. He further said that he thinks that the Board will need to start sometime in March. He explained his calendar regarding his budget work, and it makes it difficult to set down with departments and change it later with them.

Commissioner Roten and Chair Richardson talked about the two types of retreats; budget and general.

Commissioner Smith talked about this will be the first budget for three of the Commissioners and there will be a tremendous amount to think about. He said that he doesn't have a problem prioritizing the goals and meeting later.

Chair Richardson talked about the purpose of the retreat and types; brainstorming for one and then budget for another one. He talked about taking the list and prioritizing. He reiterated how these retreats can make the Board better Commissioners.

Commissioner Goudreau agreed and wants to move forward.

Chair Richardson said if the majority wants to move forward, does everyone have time to go by the County Manager's office to prioritize the issues.

Commissioner Cox and Commissioner Goudreau talked about whether to proceed with Friday or a later date. Commissioner Cox said he will go along with what the Commissioners' want to do.

County Manager Don Adams explained that it depends upon whether this first one is a goal setting or if the Board wants all of the information on the top five priorities then set another date.

Commissioner Roten explained he doesn't have time to spend all day.

Chair Richardson talked about ways to proceed and the retreat starting at 9:00am and concluding around noon.

Commissioner Roten made a motion to enter closed session at 12:22pm under NCGS 143-318.11 (a) (3)—economic development and (a) (6)—personnel. Commissioner Goudreau seconded the motion. Vote 5:0.

Commissioner Smith made a motion to adjourn closed session at 1:26pm and reconvene the regular meeting. Commissioner Cox seconded the motion. Vote 5:0.

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

Commissioner Goudreau made a motion to approve filling the vacancy in Alleghany in Motion. Commissioner Roten seconded the motion. Vote 5:0.

Chair Richardson recessed the meeting for the Board to go to Alleghany High School for a tour of the facility.

The Board met at the Alleghany High School and toured sections of the School with Board of Education members Brad Mabe and Jason Williams, Superintendent Dr. Jeff Cox, Principal Paul Crouse and Kevin Spurlin. The tour included the exterior of the main building, windows, paint on walls, Mr. Murphy's wall separating, biology science lab, Mr. Vogler's science class walls, Jarrett Field lights/poles/wiring, and conversations about the Woodruff Stadium pole lights plus general electric issues and the challenges with the concession stand at the new gym.

Being no further business, Commissioner Roten made a motion to adjourn at 2:32pm. Commissioner Cox seconded the motion. Vote 5:0.

Respectfully submitted,

Karen Evans
Clerk to the Board

Attest:

Ken Richardson
Chairman

Presentation to the Alleghany County Board of Commissioners
February 21, 2011

People who have spoken to our board recently have stated that they are owed an explanation for the reason for our vote on prayer. They say they deserve an explanation. This shall be my attempt to do just that, from my perspective. I speak only for myself as one of your commissioners and your public servant.

At our December 2010 meeting the Alleghany County Commissioners voted on the Rules of Procedure for the coming year. Each commissioner had the opportunity to pick up his packet beginning on Thursday prior to the meeting on Monday so that we had ample opportunity to review and to become familiar the contents. At the meeting Chairman Richardson led the Board in an item by item discussion of the Rules of Procedure which sets out the way in which the board shall conduct business. There was some discussion of various items as we reviewed them, but at the end the vote to adopt the rules document was passed by a 5 to 0 vote. Contained within those rules was a provision to begin each meeting with the Pledge of Allegiance to Our Flag followed by a moment of silence. We were all given the opportunity to discuss the proposed rules, and subsequently we voted unanimously to move to the moment of silence, along with some other changes. My thoughts at the time, as I recall them, centered on the fact that this move would put the commissioners' meetings more in line with the two other elected bodies in the county, the Alleghany County Board of Education, and the Sparta Town Council. I had no idea that this change would be cause for such consternation on the part of some of our citizens.

At our following commissioners meetings a group of people from the community voiced their opposition during the public comments section of the agenda. As commissioners, we listened intently as we all wanted to hear the voice of the people we represented. The opposition expressed at our meetings was in direct contrast to the views of the overwhelming majority of people with whom I had spoken. Throughout this time, from then to now, I have actively

solicited opinions from people I respect; people whom I knew would give me an honest answer, and not just say what I wanted to hear. I have sought guidance from people whom I know to be very strong in their faith including ministers and former county leaders. I have met with citizens in various places; the grocery store, the gas station, in church, in restaurants, and on the street. People have told me in overwhelming numbers that we are doing the right thing by making this change. People have told me that they are comfortable with the concept of silent prayer, and they are adamant that we now need to get on with conducting the business of the county.

As the rhetoric grew more strident, our attorney gave us her advice on the subject. She talked about a fairly recent case where she said Forsyth County, NC was sued for having prayer at each meeting. Despite being represented by powerful attorneys from different parts of the country provided in part by The Alliance Defense Fund, they lost the case. The Forsyth County commissioners spent anywhere from ¼ to ½ a million dollars in a futile and unwinnable case. Ms. Shumate is a distinguished practicing attorney and, unlike the rest of us, she has a legal education upon which to base her professional opinions. When Ms. Shumate advised that we could be sued and that we would lose, I took this to heart. Ms. Shumate is the county's attorney, and we employ her to give sound legal advice. Anyone, or any governing body, who ignores their attorney's advice does so at their own peril.

At this point we were forewarned and could not claim ignorance of the issue. If we were to proceed with vocal prayer, thus inviting such a lawsuit, we would knowingly sacrifice the livelihoods some of our county employees and our most needy citizens, as we would have to make significant cuts to pay legal fees of the winning side as well as our own counsel; this for a court case with no prospect of gain for the county. Alleghany County has not the resources to fund such an ill-advised venture. I simply could not, in good faith, ask others to make this sacrifice if it could be avoided. I personally saw the silent prayer as a compromise that respected and affirmed each individual's right to pray without imposing our beliefs on others who believe differently. As we silently prayed at the beginning of each meeting, we all experienced the power of many voices invoking unity and guidance rather than just one voice. I know that when we are in our times of greatest need, our private conversations with our higher power is what provides the greatest comfort and strength, yet some have stood in front of this commission and said that these private prayers are simply not good enough.

I have spoken openly in this room about my faith. When I took the oath of office, I swore on the Bible to uphold the Constitution of the United States, and I take that vow as seriously as any vow I have ever taken. I am here to represent all 11,000 citizens of Alleghany County. In addition to those who have opposed my decision, I represent those who tell me that we live in a diverse society. As part of a governing body, I believe that I must set a good example and respect the rights and views of all. I have been reminded that in our county we have citizens of the Jewish faith and Muslim faith as well as the Christian faith. I have also been contacted by a person who professes no faith in any god, who said that they were offended when we prayed to Jesus Christ. I personally do not share that belief, but I must respect another's right to believe as they choose.

I have called upon my own personal faith throughout this conflict, and have actively sought the guidance of my pastor. There are some basic truths to which I keep returning. Jesus was all about love. We are commanded to love our neighbors as ourselves. We all know that commandment is sometimes difficult to follow, especially when there is conflict, but we are commanded to love our neighbors. A goodly portion of that love is made up of respect. I believe as a person and as an elected official, I must respect all views, not just the views of those who have chosen to threaten, condemn, insult, and cast aspersions upon my character because I will not acquiesce to their demands at the expense of the rights of others.

After long and hard contemplation, research on the issue, and seeking the opinions of many, I have come to the conclusion that I would be violating my oath of office, wherein I swore to uphold the Constitution of the United States, were we to return to a vocal Christian prayer.

I further believe that I would be violating the Code of Ethics which we also passed in December 2010 by violating the law, especially since the Forsyth County case establishes case law that such a prayer is not constitutional. I hold my oath to be sacred, and I would not knowingly violate it, nor would I knowingly violate my code of ethics. We have been forewarned by our attorney, and we have been provided with irrefutable evidence that what we have been doing is not lawful.

I had hoped that the moment of silent prayer was a compromise that would affirm the rights of all who chose to pray by allowing them to pray silently instead of assigning another to pray in their stead. Some are still not satisfied with this compromise and insist upon vocal prayer. I am concerned that if the conflict continues, we will lose the opportunity to have even a silent prayer. However, we must have some resolution of this matter if our county is to move forward in peace. In light of this, I would respectfully add my voice in support of the attempt to seek clarification of this matter by the NC Attorney General's Office. Upon receipt of an official reply, the path for this body should become clearer. If an opinion is returned that approves of our current procedure, then I will support that practice and take part wholeheartedly. If an opinion is returned that disapproves of our current practice, then I will support the Alleghany County Commissioners in immediately coming into compliance.

To the citizens of Alleghany County, regardless of how this issue is settled, we, as your board, must move on to do the people's business to the best of our ability. That is why you elected us. We are faced with many issues, the most critical of which is our economy, jobs, and the quality of life for our citizens. People are watching Alleghany County. We must show the outside world a county made of citizens strong in their beliefs, yet tempered with kindness so as to be tolerant of those who disagree. We must portray a citizenry that is open to new ideas, one which celebrates the differences that create our rich heritage rather than sowing discord and conflict.

I know several people have spoken to this commission because they are sincere in their faith. I know of others who consider themselves to be political warriors, never resting in the pursuit of their political beliefs. But our county needs rest and healing. I extend the hand of friendship to my fellow commissioners so that we may work as a united force to meet the needs of our citizens. It is my hope that we can put down the battle armor, and grow to respect each other in a way that allows us to wage war not against each other but against the many crises that are confronting us as a county.

We need to step down from the intense rhetoric, the name calling, the condemnation, and demonization of those with whom we may disagree on an issue. We are neighbors. We are in this boat together and its time to start rowing. Our future awaits us.

Larry R. Cox

Alleghany County Commissioner