

The Alleghany County Board of Commissioners met in regular session on Monday, March 4, 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, County Manager Don Adams and Clerk to the Board Karen Evans.

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

Chair Cox stated that closed session for legal and personnel needs to be added to the agenda, NCGS 143-318.11 (a) (3) and (6).

Commissioner Smith made a motion to approve the amended agenda for this March 4, 2013, meeting. Commissioner Goudreau seconded the motion. Vote 5:0.

AGENDA  
Monday, March 4, 2013  
6:30 PM

- 6:30 Meeting Called To Order, Pledge of Allegiance and Silent Prayer  
Motion on Agenda for March 4, 2013, Meeting  
Motion on Minutes for February 18, 2013, Meeting
- 6:35 A. Public Comments—30 minutes  
B. USDA Refinancing Public Hearing and Authorizing Resolution  
1. Refinancing bank bids are due 9 am on 3/1/13. A complete financial analysis can be given prior to the opening of the public hearing.  
2. Execute public hearing process.  
3. Enclosed in packets is a proposed resolution authorizing an application to the Local Government Commission for approval of the proposed refinancing. Action Requested – Vote on the proposed resolution.  
C. Ed Adams - Board of Elections Chair - RE: Director's Salary  
D. Piney Creek Volunteer Fire Department Annual Report – Chief Larry Adams  
E. Alleghany Community Television Annual Report - Charlie Scott  
F. General Business  
1. Fuel Oil Request for Bids - Bids due 11am on 3/1/13. Proposed contract date is 3/6/13 through 3/5/14. Summary will be handed out at meeting. Action Requested – Vote to award fuel oil contract.  
2. Juvenile Crime Prevention Council (JCPC) Board Appointment - Letter from JCPC Board Chairperson Kay Luffman requesting that Katie Hettleman be appointed to the JCPC Board. Action Requested – Vote on the proposed appointment.  
G. Commissioner Business  
1. An Open Discussion on Economic Development in Alleghany County—Commissioner Goudreau  
G.1. Closed Session—NCGS 143-318.11 (a) (3)—legal and (a) (6)—personnel (added)  
H. Adjourn

Commissioner Leys made a motion to approve the minutes from the February 18, 2013, meeting. Commissioner Goudreau seconded the motion. Vote 5:0.

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

Dennis Smith explained the last meeting was a disappointment. He talked about how the adopted agenda was deviated. He quoted text by the County Attorney and the Chairman from the last meeting. He talked about the Commissioners hiding behind the County Attorney rather than speaking their mind. He continued talking about items that the County Attorney said at the last meeting. He said the idea appeared to be for the County Attorney to trash the resolution before the Commissioners discussed it. He discussed how the meeting should have occurred including allowing Commissioner Goudreau to explain the resolution. He quoted Commissioner Leys' comments at the last meeting about wasting time on the subject. He talked about the executive regarding weapons and the recent purchases by DHS. He said maybe now you can get on with the important things of economic development plan. He asked if government can create jobs then why are there so many people on unemployment. He explained that he hoped the new plan will be better than the Angelou plan in 2003. He talked about firearms and ammunition companies and working to bring them to Alleghany County but why would they come here after the Board will not support the second amendment. He said the Board has alienated the entire weapons industry. He read a prayer that was offered by a North Carolina Commissioner before a county commissioners meeting.

John Irwin talked about the first meeting in February where the Board wrote off uncollectable property taxes. He said he requested a brochure be passed out to the Board prior to the meeting, which it was, and asked the Board to look at it. He explained the Board wrote off \$1,218 for an owner of a company that pledges \$100,000 for the enterprise on the brochure. He said that he received \$75,000 of Golden Leaf monies but he can't pay his property taxes. He further said he wondered why then he watched the last County Commissioners' meeting. He quoted Rita Miller from the last meeting about not having formal collection procedures. He talked about having a County Manager, who is the second highest paid County employee, for 15 years. He said we cannot establish procedures to collect money owed to the County. He further said we have three Commissioners who have been on the Board for approximately 30 months but this is not something that we need to be concerned about apparently, which would explain why a County Commissioner can vote to write off an employer's property tax and be listed as the treasurer of the fund that he has pledged \$100,000. He continued to talk about the collection of taxes. He said this doesn't look good. He asked why you didn't publish the names of people who taxes were released. He further asked why don't you publish in the paper all of the past-due taxes for the last 10 years in the paper every year. He talked about the second amendment conversation that has been occurring. He said he heard a Commissioner make a comment about who is trying to take your gun. He stated you have to know who has it so you know where to go. He said he was wondering what else to say about this and then he found information by Chet Nagle. He provided Mr. Nagle's background. He read information by Mr. Nagle about guns, ammunition, gear purchases, US Army manual. He read a portion of the manual. He continued reading information by Chet Nagle including if you live within 100 miles of an international border DHS can search all of your technology devices without probable cause or a warrant. He named the states that affects. He talked about the National Defense Authorization Act of 2012. He further talked about presidential orders regarding national security. He said that he is a retired military member, according to DHS' standard is a potential terrorist and is subject to arrest at anytime, which is fine. He said to remember if they knock on your door, you remember one thing that when they knocked on the door of the German Jews, they didn't have a weapon to defend themselves.

Jim Connors talked about a new project the Tourism Development Authority is excited about. He explained that businesses can advertise in the June issue of the Our State magazine. He said it will be a one page ad to learn more about Alleghany County. He talked about the sizes of the ads that can be purchased. He said that businesses can contact him for more information.

Tony League, President of Alleghany Rotary Club, announced the Rotary Club is having their drawdown fundraiser on May 4. He explained that the tickets are \$100 and includes a dinner for two and a chance to win the grand prize of \$5,000. He said there are other monetary prizes too. He explained that all profits will go towards non-profits and the County's Veterans Park.

Gene Jones talked about the decision to scrap, for the second time, the second amendment resolution. He said we knew your non action would prevail but you gave YouTube and ACTV viewers something they could see and hear first hand. He talked about showing viewers your closed minds and very closed mouth responses on how you want it changed. He said the Commissioners were asked three times and three times there was silence. He quoted the Chairman after the resolution was scraped. He talked about the number that had said their support for the resolution at that meeting and the prior meeting. He further talked about not hearing the people who spoke in favor, which was the majority. He continued talking about the majority and squeaking wheels indicate something is wrong. He explained the options on fixing a squeaking wheel; check it out and fix it or keep driving. He asked the Board why are you going to be so confused when squeaking wheels lock up and stop your circus. He said his second topic to ponder is helping others has always been and still is an important part of his life however him and many others can see the vast number on the social welfare schemes that don't want to realize that the helping hand is at the end of their own wrists because they would rather real men and women, who know the real meaning of personal responsibility, to keep them up. He said the day is coming when they see that personal responsibility is the ultimate secret to survival. He said our government continues to grow the social welfare. He asked does it make sense.

Susan Miles stated she had brochures from the Miles Job Fund for the Commissioners. She said she saw on the agenda a topic about economic development. She explained the number of people they have helped through the Miles Job Fund and their appreciation. She stated that if people come to the Commissioners to start a small business, they can assist them with a small loan. She said thank you for all of the work that you do.

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

County Manager Don Adams talked about his refinancing analysis for two USDA loans in the amount of approximately \$845,000. He reminded everyone that this is for the Glade Creek Water and Sewer Project and the Safety Training Facility which were constructed using grant and loan funds. He explained the current interest rates on the two loans; 4.25% on the Safety Training Facility and 3.75%

on the Glade Creek Water and Sewer Project. He stated that the annual debt payment on these two loans is approximately \$42,905. He said that the term on these loans are 40 years and one payment has been made on one loan and two payments on the other loan. He explained that BB&T has offered to refinance approximately \$845,000 for 15 years with a 2.51% interest rate, which will save \$647,949 over the life of the loan because of the terms and interest rate being reduced. He talked about the annual payment amount of \$77,190 and the current amount budgeted with a difference of \$34,285. He explained the proposed loan has level principle amounts and the payment decreases annually. He further explained that the overall debt service budget will decrease by \$30,178 going into the next budget year. He stated that the following year the overall debt service is reduced by another \$70,000, which will cover the shortfall in the coming years. He reviewed the \$4,050 costs associated with the refinancing; \$1,100 bank fees, \$1,500 title insurance, \$1,250 LGC application and \$200 miscellaneous. He reminded everyone that money was set aside in the Glade Creek Water/Sewer Fund because the system had not been in operation at that time, which it is now and working fine. He stated that the contractor is still working on the ground cover. He said that he recommends the closing costs and the payment shortfall of \$4,107 come from that Fund. He explained that one thing that the Commissioners may want to consider is whether the \$34,285 is needed elsewhere. He stated that refinancing will save interest over the life of the loan and the \$34,285 will not be available to be spent elsewhere if the Board decides to proceed.

Chair Cox and County Manager Don Adams talked about procedures to continue this discussion. The County Manager explained the timeline from submitting the LGC application to completing everything with the bank and talked about the bank will only hold the bid for 45 days.

Chair Cox declared the public hearing open at 7:17pm regarding the USDA loan refinancing. He asked for public comments. None were received. He closed the public hearing at 7:18pm and reconvened the regular meeting.

County Manager Don Adams reviewed the two resolutions before the Board to consider; resolution authorizing the filing of an application for approval of a financing agreement authorized by NCGS 160A-20 and the BB&T resolution regarding the refinancing project.

Commissioner Goudreau said it is important to look at all avenues to save money. He stated that the money from the debt service is in the General Fund not money that was just found. He talked about the 40-year loan. He said he has no problem going forward.

Commissioner Goudreau made a motion to adopt both resolutions as presented. Commissioner Smith seconded the motion.

County Attorney Donna Shumate stated that it is her recommendation to have two separate motions.

Commissioner Goudreau restated his motion to be to adopt the LGC resolution. Commissioner Smith seconded the revised motion. Vote 5:0.

Commissioner Goudreau made a motion to approve the BB&T resolution. Commissioner Smith seconded the motion.

Commissioner Leys asked the County Attorney if she had seen the resolution. County Attorney Donna Shumate said no, she had only seen the one in the packet. County Manager Don Adams handed her a copy. County Attorney Donna Shumate read the resolution and said she doesn't see anything that gives her cause for concern.

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

Mac Murphy and Linda Absher, Board of Elections members, came before the Commissioners about the Board of Elections' Director's salary. He talked about working directly and indirectly with four directors over the last 25 years. He stated that the best one is currently here. He talked about the number of registered voters being around 7,400. He said that the salary of the Director is in arrears compared to other like counties. He further said that he hoped the salary could be brought up to the level of the fellow directors. He stated that we would hate to lose a director to surrounding counties. He further stated that they hope the Commissioners will render a fair decision in her favor. They talked about this is the consensus of the Board of Elections.

Chair Cox reviewed the information in the Commissioners' packets including a comparison sheet and the NC General Statutes. He asked for comments from the Board.

Commissioner Leys talked about taking this into consideration in the upcoming budget and intents on studying this further. She said she appreciates the information.

Chair Cox asked if there are any more comments.

County Manager Don Adams talked about NCGS 163.35 (c). He read NCGS 163.35 (c). He continued talking about information that was provided to the Commissioners. He reviewed the summary sheet. He said he has not done any statewide comparison.

Chair Cox and County Manager Don Adams talked about having a part-time director since that is mentioned in the NC General Statute. The County Manager mentioned there is at least one that he knows of that is less than 5 days a week.

Commissioner Smith talked about his experience with the Director while he was on the Board of Elections. He said he agrees with Commissioner Leys about reviewing this at budget time. He asked about compensation in regards to population and number of registered voters.

Kate Cosner, Director, talked about the salary comparison explanation and how she came up with these numbers.

Commissioner Leys said she would like to see the tier 1 counties. She asked if Kate Cosner can do a study of the tier 1 counties with population. Kate Cosner said yes, but it may not correlate with the language in the General Statute.

County Manager Don Adams asked about the following counties; Gates, Hyde, Martin. Kate Cosner stated that they are below our voter registration significantly.

Commissioner Leys and Kate Cosner talked about using the tier 1 counties. Kate Cosner explained how she put together the spreadsheet and can provide it. Commissioner Leys said she would like it.

Chair Cox talked about we are similar to Graham County in multiple ways.

Commissioner Goudreau said thank you for pointing it out and the need to look at it during budget time. He talked about the Board of Elections will change and he isn't sure it will be a fair consideration until the new board is sited.

Mac Murphy talked about the new board will be July 1.

Commissioner Goudreau said then that is still during budget time.

Chair Cox asked the County Attorney to look at this.

Commissioner Goudreau talked about NC General Statute 163-37 of being reasonable and just.

County Manager Don Adams said if the Board is are going to the County Attorney, she needs the statewide data.

Commissioner Goudreau agreed.

County Manager Don Adams talked about there are two issues; justification of a salary increase and then how does the General Statute relate to it.

Commissioner Leys asked about how many years of service. Kate Cosner said May will be seven.

County Manager Don Adams summarized what he has heard; this is a budget discussion and get statewide data for the County Attorney.

The Board agreed.

Larry Adams, Piney Creek Volunteer Fire Department Chief, presented their annual report for 2012 and some 2013. He reviewed the number of calls in 2012 and so far in 2013. He talked about the number of calls in the last 8 days. He continued presenting statistics including the number of classes they have completed with the number of man hours, and types of classes. He talked about utilizing the training facility and how great it is because it would be hard to get off the mountain for training. He explained their upcoming training, number of new members, number of members lost, types of equipment, second largest and second oldest volunteer fire department in the county, covers 46 square miles and started in 1973. He said how many business meetings they held. He talked about their 17<sup>th</sup> annual draw down event in August, participation in several events including fire prevention trainings and

the tornado warning system. He reviewed the budget for fire department and the breakdown. He explained their fundraisers. He said that the matching money has been a blessing. He explained how much it costs to suit a fireman; \$8,900. He explained they had a barn fire last Sunday where they saved the equipment shed, and then Tuesday afternoon there was a structure fire. He said that fire departments do a good job for the communities. He reviewed the fire chief's responsibility.

Commissioner Smith stated his appreciation for the work that is done. He asked if the fire department called outside of Allegheny County. Larry Adams explained that yes they respond into Virginia regularly and some into Ashe. Commissioner Smith asked do they come to help us. Larry Adams gave an example of 11 from Independence came on Tuesday and explained now three departments come to every structure fire to get enough people there.

Commissioner Goudreau said thank you too. He further said this is a dedicated bunch of people in all of the fire departments and rescue squad.

Commissioner Leys said thank you, local heroes and thanked Larry Adams for the time he puts in it. Larry Adams explained that he has been fire chief for 19 years this summer.

Chair Cox talked about Wilkes Community College is starting a fire fighter class this fall. He further talked about this might help with getting some younger people involved. Larry Adams stated that this will be great.

Charlie Scott, ACTV Director, presented their annual report. He reviewed their mission statement, began in 2006, was certified by the Commissioners as a PEG (Public Education Government) channel and obtained a grant to begin. He provided the history of how it got started, next four years Board of Commissioners and Board of Education helped with financing, found out after certification that the Department of Revenue sends out quarterly funding. He explained that all funds received go right back into the program. He said there are 129 certified PEG channels. He provided a copy of their Board of Directors. He said that they went through the process to get their non-profit status. He talked about how they started in A. Anderson Huber Cyber Campus and are now in the BDC. He explained the importance of moving to BDC to have a studio. He further explained that ACTV is in 6 counties. He reviewed how they started with Allegheny Cablevision then in 2008 Skyline went into the video bundling and asked to join them. He named the counties that they are in and the number of subscriptions; 6,500. He talked about they created a document with the Board of Commissioners, which is a hold harmless agreement to keep the liability away from the government in return he films these meetings and the budget meetings. He said since 2004 this meeting will make 194 meetings he has filmed.

Commissioner Davis said he does a good job.

Commissioner Goudreau stated his appreciation.

Chair Cox said thank you.

County Manager Don Adams presented the fuel oil request for bids summary; G&B and Hometown along with the estimated annual amounts using last year's gallons. He reviewed the summary with the County operations of 5,267 gallons showing that the County would spend a little less money with G&B but that doesn't take into consideration the crisis fuel program using 13,809 gallons. He explained that overall Hometown has the lower bid. He said that one thing not listed on the summary is Hometown's \$25 surcharge for deliveries under 100 gallons which only happened twice last year.

Chair Cox asked if the Manager's recommendation is Hometown. The County Manager said yes.

County Manager Don Adams explained how the bid is all or nothing. He said that they have provided good service in the past.

Commissioner Leys made a motion to award the bid to Hometown Oil and LP Gas. Commissioner Davis seconded the motion.

Commissioner Leys stated her appreciation to both companies for submitting bids.

Chair Cox talked about he is glad we are keeping it local.

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

County Manager Don Adams presented a letter from Kay Luffman as Chairman of JCPC requesting that Katie Hettleman be appointed to the JCPC.

Chair Cox asked if someone is going off or adding on. County Manager Don Adams said he doesn't know. Commissioner Smith said they are adding on in a slot that has been previously unfilled.

Commissioner Smith made a motion to approve the request as presented. Commissioner Goudreau seconded the motion.

Commissioner Leys thanked Katie Hettleman for taking this position.

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

Commissioner Goudreau talked about, as Commissioner Leys pointed out; we need to try everything we can in economic development. He said it is tough economic times everywhere. He talked about everyone talks about their plans to bring ideas. He explained that he wanted to have an open discussion. He said that the County Manager handed out plans from the past, and he has read them. He talked about one thing is our location and our accessibility. He said that Highway 21 is out for bid which can't hurt. He asked what we, as a board, can do to help. He explained that we need to be real supportive of our local businesses, need a working relationship with people in Washington and Raleigh, State does not have money, and thinks we are going to have to look at the budget. He talked about the Board toured the High School and there are needs there. He further talked about money going into education does help with economic development. He said that government needs to stimulate the local economy by getting out of the way, and used the tax increase as example. He talked about when people are looking at numbers and stats, it doesn't look good. He explained that this is something that needs to stay on the forefront and work with the resources we have including Clark Hunter and ACEDC. He talked about a budget discussion to look at the impact on the business people because they are going to be our employers. He further talked about not having a building to house a manufacturing facility nor a business park. He stated that he hated he missed the meeting the other night. He talked about greenways, bike plans, renovating downtown help improve the image but that isn't the silver bullet. He said there are going to have to be some tough decisions made. He talked about funding is tight. He said that we need to have an open dialogue when we have thoughts. He explained if the Board wants something to go to our legislators, he will be glad to take it. He talked about getting Clark Hunter and Don Adams and local business owners more involved to see what we can get done. He said that tourism isn't the silver bullet.

Commissioner Leys stated her appreciation for bringing this up and can't disagree with anything that has been said.

Commissioner Goudreau talked about taking a realistic look.

Commissioner Leys talked about looking at everything and working together. She said that we can do some things that don't even cost money. She talked about an example of a magazine about luring retirees and things they are looking for, which are the things that Alleghany County has. She further talked about internet initiatives that are in the works. She said you don't have to have the interstate beside you. She talked about education is another area. She stated that two out of three new jobs are created by small businesses. She talked about we have a lot of advantages here. She stated that the Miles Job Fund has helped create almost 100 jobs. She talked about the need to promote women in business, which is an underutilized opportunity. She said if we put our heads together we can do it, set up a monthly meeting with a task force. She reiterated that she has faith that we can do it. She said thank you again.

Commissioner Goudreau said he would serve on the task force if the Board wanted him to and work with the other groups too.

Chair Cox said this is great and something that is needed to continue. He stated his appreciation for the comments. He talked about government can create a climate of encouragement.

Commissioner Leys talked about utilizing Clark Hunter and the economic development board and how she appreciates that.

Chair Cox asked how this fits into our planning session.

County Manager Don Adams talked about the joint meeting with the Sparta Town Council in April and report back with resources to help facilitate the planning process to create the plan. He explained the more conversations the better to help facilitate how to develop a plan. He reviewed the idea of helping to facilitate the resources we have with the people that we have and find people who aren't involved.

Chair Cox reiterated his appreciation for the comments.

County Manager Don Adams announced a local 4-H Horse Quiz Bowl team won the state competition over the weekend. He explained that the senior team is for 14-19 years old. He further explained that the local team went to regional and qualified for state competition that was this past weekend. He reiterated that they won the state competition. He explained that this team is all 14-year olds with one 15-year old. He further explained that one individual won the individual state competition.

Commissioner Goudreau made a motion to enter closed session at 8:32pm under NCGS 143-318.11 (a) (3)—legal and (a) (6)—personnel. Commissioner Davis seconded the motion. Vote 5:0.

Commissioner Smith made a motion to adjourn closed session at 9:42pm and reconvene the regular meeting. Commissioner Goudreau seconded the motion. Vote 5:0.

Chair Cox stated that no action was taken during closed session.

Being no further business, Commissioner Leys made a motion to adjourn at 9:43pm. Commissioner Davis seconded the motion. Vote 5:0.

Respectfully submitted,

Karen Evans  
Clerk to the Board

Attest:

Larry Cox  
Chairman