

The Alleghany County Board of Commissioners met in regular session on Monday, March 5, 2012, at 6:30pm in the Board Meeting Room of the County Administration Building, 348 South Main Street, Sparta, North Carolina.

Present: Chair 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.

Chair Richardson stated that Item B, Beth Fornadley, needs to be removed from the agenda. He urged the Commissioners to look over the information in the packets regarding an important meeting/event on March 22 in Boone.

Commissioner Cox made a motion to approve the amended agenda for this March 5, 2012, meeting. Commissioner Roten seconded the motion. Vote 5:0.

AGENDA
Monday, March 5, 2012
6:30 PM

- 6:30 Meeting Called To Order, Pledge of Allegiance and Silent Prayer
Motion on Agenda for March 5, 2012, meeting
Motion on Minutes for February 20, 2012, meeting
- 6:35 A. Public Comments—30 minutes
B. Beth Fornadley (deleted)
RE: Communities Putting Prevention to Work Event
C. Dr. Jeff Cox
RE: Qualified School Construction Bond
D. Rescue Squad Annual Report
E. Council on Aging Annual Report
F. General Business
1. Planning Board Appointment
2. Surplus Auction
3. Fuel Oil Bids
4. Selective Timber Harvest Management Contract
5. National Defense Authorization Act Resolution
6. Budget Amendment—Jail
G. Commissioner Business
1. New River Service Authority Transition Board Update—Commissioner Cox
H. Closed Session—NCGS 143-318.11 (a) (3)—legal
I. Adjourn

Commissioner Smith made a motion to approve the minutes for the February 20, 2012, meeting. Commissioner Cox seconded the motion. Vote 5:0.

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

Chris Huysman talked about an article in the Alleghany News about a meeting on March 19 about the Hospital and possible financing of the Hospital. He further talked about if there is going to be any tax dollars involved, he urges the Commissioners to hold three separate public meetings in order to allow the public an opportunity to hear the information and ask questions. He requested the Board to make a motion to have three different public meetings for the public to learn more about the Hospital situation.

Dennis Smith talked about the Virginia Senate nullified some provisions in the National Defense Authorization Act (NDAA), and named other states that have followed the same action. He quoted information about the Virginia's bill sponsor. He read an article from the 10th Amendment Center about the NDAA. He continued talking about the damage the NDAA could cause. He explained that the NDAA was passed without input from the public. He talked about President Obama signing the Act. He further talked about most people have not heard of the NDAA. He said that this is just the latest in changing laws and taking freedom away from the people. He asked if everyone would look at the big picture. He said that there is something wrong in this country. He asked how did this happen and who is to blame. He said if we are looking for the guilty to just look in a mirror and explained what he meant. He talked about HR 347 passed by both the House and Senate. He explained HR 347. He said that he talked to the Sheriff about

the NDAA. He asked that the Board sign the resolution and send it to Raleigh as quickly as possible. He read a prayer offered in the United States Senate.

Brandon Hawks read the Preamble of the North Carolina Constitution.

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

Dr. Jeff Cox, Superintendent, talked about applying for the Qualified School Construction Bonds (QSCB) for the Piney Creek School septic system. He explained that there are some other safety concerns. He reviewed the safety projects that have been previously discussed; lights at baseball field would not qualify, brick faces coming off at the High School that would qualify. He explained that he is here tonight to see if the Board would like to include this request in the QSCB application.

County Manager Don Adams updated everyone about QSCB is enabling counties to borrow money at 0% interest for school construction projects. He explained that he is seeking grants for the septic system but if he can't get enough grants to cover the project then a 0% interest loan can help. He further explained that this is just to apply for the funds to be set aside, not to approve the loan or deciding how to pay for it. He said that if there is any interest at all in these projects then he would advise applying for the monies.

Commissioner Cox talked about it is his understanding that this is the first step in the project to become eligible to apply. Dr. Cox agreed and explained that there is no guarantee to get all of the money, and the Board of Education would still have to come back about proceeding forward. Commissioner Cox talked about the Glade Creek project overages are loan payments that the Board of Education took upon. Dr. Cox agreed.

Commissioner Smith and Dr. Cox talked about the estimate for the brick from Hickory Construction is \$243,596.38, which includes the architect fees. Dr. Cox explained what this project would entail. They talked about this is the original structure at the High School.

Commissioner Cox talked about this time last year we set down with the facility committee and this was one of the problems. Commissioner Cox asked is it coming off all around the building. Dr. Cox explained yes it is.

Chair Richardson talked about when the Commissioners went to the High School and looked at several safety items. He asked what about the other concerns and have they been addressed. Dr. Cox said some of the items have been taken care of and explained that they are asking for Golden Leaf monies for some too. Dr. Cox explained that they thought it would be better not to ask at this time. Chair Richardson asked about the windows and the wall separation. Dr. Cox explained that the windows have been addressed and the separation issue hasn't totally been addressed but it is more of a cosmetic issue than a structural issue.

Chair Richardson asked is there a motion allowing the County Manager and Dr. Cox to move forward with the application.

County Manager Don Adams explained that the application will require the Chairman's signature.

Commissioner Cox asked the County Manager to review the process.

County Manager Don Adams explained that the Board of Education cannot borrow money without the County Commissioners. He further explained QSCB is a federal program that allows banks to provide 0% interest loans to counties because the banks receive tax credits. He explained that this is the first step in the process to apply. He explained that, if approved, it will be two separate applications; Piney Creek School septic system and brick at the High School. He explained the next step is receiving permission to talk to the banks. He further explained that this is like any other loan that Alleghany County has. He reviewed the steps of the loan including deciding how to pay for the loan. He reviewed how the Glade Creek School building project worked of received the first QSCB loan then bids were higher, so additional QSCB funds were made available, applied for additional QSCB monies then when deciding how to pay for the additional loan the Board of Education used their portion of their mandated sales tax to pay for the second loan.

Commissioner Roten made a motion to allow the County Manager and Dr. Cox to move forward including getting the Chairman's signature. Commissioner Cox seconded the motion.

Commissioner Goudreau asked about the current debt percentage of the County. County Manager Don Adams answered we are about half capacity, explained that the LGC allows 15% without special permission, and we are at 8%.

The Board voted on the motion on the floor. Vote 4:1 (John Goudreau).

Brandon Jones, Captain, presented the Rescue Squad's annual report. He reviewed the number of times they responded to ambulance calls and number of transports. He further reviewed their number of calls, times on stand by, types of calls, number of members, types of certifications for each member, rescue level of members, starting a ladies auxiliary, number of training hours, types of equipment, budget breakdown of how much is from donations/fundraisers, grant funds and county/town support. He stated that next year's budget is looking very similar.

Chair Richardson and Brandon Jones talked about the number of calls increased by 50.

Commissioner Smith and Brandon Jones talked about the transports are to the local hospital.

Commissioner Roten stated his appreciation for all of the volunteers.

Karon Edwards, Director, presented the Council on Aging's annual report. She reviewed their goals and purpose. She talked about they have two satellite centers, and explained activities in the centers. She further talked about they have created a website, partnerships, classes they have offered, trainings for seniors, senior advisory committee was created and their activities. She reviewed the different types of programs and hours for each program; in-home aid level 1, in-home aid level 2, respite care, social services contract for level 1 services, meals and types of meals, amount of transportation provided. She talked about Allegheny County's aging population is on the rise. She stated their appreciation for the Commissioners' support. She provided the Board with a written report and said she hoped everyone will look through it.

Commissioner Goudreau and Commissioner Cox thanked Karon Edwards and the volunteers. Commissioner Cox noted his appreciation for opening the satellite sites and his personal experience with a satellite site.

County Manager Don Adams talked about the vacancy with the Planning Board appointment. He stated that no applications were received by the advertised deadline. He reviewed the process of re-advertising leaving the appointment open until filled. He talked about this is an appointment for the Glade Creek fire district but applications would be considered in other areas. He urged anyone interested to call his office.

County Manager Don Adams talked about having a surplus sale auction on March 24 at 11:00am at Wilkes Community College/Blue Ridge BDC building. He said that he is requesting the Board to vote to instruct him to hold the auction. He talked about the Board has already declared surplus a list of vehicles, is requesting the Board to surplus the list in their packets, and allow him to dispose of anything valued less than \$500.

Commissioner Goudreau made a motion to authorize the County Manager to have the auction on March 24 at 11:00am at Wilkes Community College/Blue Ridge BDC building. Commissioner Cox seconded the motion.

Commissioner Cox and County Manager Don Adams talked about cleaning the computer hard drives.

Commissioner Smith and County Manager Don Adams talked about this will be advertised.

County Manager Don Adams explained selling the computers in groups because no one bids on a single computer.

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

Commissioner Goudreau made a motion to declare the list surplus. Commissioner Cox seconded the motion.

Commissioner Goudreau amended the motion to include allowing the County Manager to dispose of items less than \$500. Commissioner Cox seconded the amendment. Vote 5:0.

County Manager Don Adams explained the fuel oil bids from G&B Energy and Hometown Oil. He reviewed the bids including the mark-up amount for Hometown Oil of 25¢ with a \$25 delivery charge under

100 gallons and G&B Energy of 29¢. He explained that we only had three \$25 service charges last year. He said that the cheaper cost is with Hometown.

Commissioner Smith made a motion to award the bid to Hometown Oil and LP Gas. Commissioner Cox seconded the motion. Vote 5:0.

County Manager Don Adams presented the Agreement to provide forestry services at the Fairgrounds from David Isner's company. He reminded everyone that this is not a clear cut timber sale; it is a selective timber cut. He explained the services to be provided by David Isner, who will get 5% of the sales.

Chair Richardson asked if the County Attorney has reviewed this. County Attorney Donna Shumate answered she has.

Commissioner Cox made a motion to approve the Agreement. Commissioner Goudreau seconded the motion.

Commissioner Cox asked if the leftover laps could be donated to churches who supply wood to people who need wood. County Manager Don Adams said that he thinks we can make sure that it can be worked out as long as it is left so no one will get hurt getting the wood.

Commissioner Goudreau asked about the culvert mentioned in the Agreement. County Manager Don Adams explained that it will come out of the Fairgrounds budget, which is where the timber sale revenues will go.

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

County Manager Don Adams presented the proposed National Defense Authorization Act resolution.

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

County Manager Don Adams asked if this is supposed to be sent to our legislators. Chair Richardson stated that was discussed at the last meeting. County Manager Don Adams explained what the resolution is, how the letter will be worded coming from his office, and it will be sent to our State/Federal legislators.

County Manager Don Adams presented a letter from Sheriff Edwards about a shortfall in boarding of female inmates so the Sheriff is requesting a budget amendment for this line item. He explained how this has been handled in the past by transferring monies between lines but this year he doesn't see monies to transfer. He said that he believes he will be back before the Board to talk about juvenile inmates. He explained that these are things that we don't have a choice about doing.

Commissioner Roten made a motion to approve budget amendment General Fund #21 in the amount of \$30,000. Commissioner Cox seconded the motion.

Commissioner Cox and County Manager Don Adams talked about female inmates are sent to Ashe County and juvenile inmates are sent to Wilkes County if each county has the capacity.

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

County Manager Don Adams presented a request to the Board to use County letterhead. He explained that Karen Evans is a certified clerk and needs to attend the upcoming clerks' annual conference to maintain her certification. He further explained that she is applying for a scholarship that will pay for the registration fees for the conference. He explained that the request is to be allowed to send a letter requesting that Karen Evans be awarded the scholarship.

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

Commissioner Cox updated the Board about the New River Service Authority Transition Board's recent actions; reaffirmed the commitment to Smoky Mountain Center (SMC) for taking over the medical records, SMC and Crossroads agreement that they will physically be taking the records, authorized Mr. Kaplan to appeal the Medicaid audit for various infractions, personnel records being prepared for storage, all but four cars have been sold with those cars in the process of being sold, have two employees

remaining, authorized Mr. Kaplan to defend the lawsuit from Crossroads. He said that the next meeting will be March 26.

Commissioner Goudreau made a motion to enter into closed session at 7:44pm under NCGS 143.318.11 (a) (3)—legal. Commissioner Cox seconded the motion. Vote 5:0.

Commissioner Smith made a motion to adjourn closed session at 8:33pm and reconvene the regular meeting. Commissioner Goudreau seconded the motion. Vote 5:0.

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

Commissioner Goudreau made a motion to recess the meeting at 8:35pm until Friday, March 9, at 3:00pm for the purpose of reentering into closed session for legal. Commissioner Cox seconded the motion. Vote 5:0.

Respectfully submitted,

Karen Evans
Clerk to the Board

Attest:

Ken Richardson
Chairman