

The Alleghany County Board of Commissioners met in regular session on Monday, March 17, 2008, at 3:30pm in the Board Meeting Room of the County Administration Building, 348 South Main Street, Sparta, North Carolina.

Present: Chair Ken Richardson, Vice-Chair Warren Taylor, Commissioner Randy Miller, Commissioner Doug Murphy, Commissioner Milly Richardson, County Manager Don Adams and Clerk to the Board Karen Evans. County Attorney Donna Shumate was absent.

Chair Ken Richardson called the meeting to order, led the Pledge of Allegiance and opened the meeting with a prayer.

Chair Ken Richardson stated that the following changes need to be made to the agenda; delete item #f, add transfer facility fees and tag office update.

Commissioner Randy Miller made a motion to approve the amended agenda for this March 17, 2008, meeting. Commissioner Doug Murphy seconded the motion. Vote 5:0.

AGENDA  
Monday, March 17, 2008  
3:30 PM

- 3:30 Meeting Called To Order, Pledge of Allegiance and Prayer  
Motion on Agenda for March 17, 2008, meeting  
Motion on Minutes for March 3, 2008, meeting  
Motion on February Tax Releases & Refunds
- 3:35 A. Public Comments—30 minutes  
B. Randy Blankenship/Kathy Murphy  
RE: Permitting Procedures  
C. Home Builders Association  
RE: Permitting Procedures  
D. Kathy Murphy  
RE: Subdivision Ordinance Wording Changes  
E. Wilkes Center for the Deaf Annual Report  
F. Sparta-Alleghany Volunteer Fire Department Annual Report  
(deleted)  
G. County Business
1. Joint Meeting and Budget Meeting Reminders
  2. Chief Building Inspector Job Description
  3. Budget Amendment—WCC/BDC Fund
  4. Training Facility Master Plan—Engineering Contract
  5. RC&D Resolution
  6. Board of Elections—Mileage Reimbursement Request
  7. QZAB Resolution
  8. Economic Developer/Grant Writer
  9. Transfer Facility Fees (added)
  10. Tag Office Update (added)
  11. Other Business
  12. Adjourn

Commissioner Milly Richardson made a motion to approve the minutes for the March 3, 2008, meeting. Commissioner Randy Miller seconded the motion. Vote 5:0.

Commissioner Warren Taylor made a motion to approve the real property releases and refunds for February. Commissioner Randy Miller seconded the motion. Vote 5:0.

Commissioner Warren Taylor made a motion to approve the auto refunds and releases for February. Commissioner Randy Miller seconded the motion. Vote 5:0.

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

Brandon Hawks stated that he is a substitute teacher and his prior topic was about our economic situation. He talked about he called a few counties around us and found out that they have an economic developer. He stated his support for a full-time economic developer. He further stated that he found out about Surry County's recent activities. He expressed his concern for the youth in the county. He reviewed population numbers and stated that there is nothing to do here for the youth. He reiterated the need to create some type of entertainment for the youth and the need to change the mind-set of the youth about leaving the area. He talked about a dance place in addition to the movie theater. He reiterated the need for an economic developer. He talked about the library referendum failed and the recent actions in Ashe County where they passed a \$2,000,000 library referendum because they promoted the library as a community center. He said that our library needs to be expanded. He said that he understands that the county isn't technological savvy and the need for technology. He talked about manufacturing is still the number one job in the area. He talked about you can't create a workforce if there is no one here. He further talked about you have to have a foundation for keeping the youth in the county. He said he hopes to come back next time to bring more ideas. He thanked the Commissioners for what they do.

Avin Joines stated that he is the son of a local dairy farmer and is speaking for his mother who couldn't be here. He read a statement from his mother regarding the low-income families and the economic situation. He continued reading the statement about families having to pay an economic fee to bring in Bristol Compressors even though it didn't last long, Sparta Teapot Museum that will more than likely come to be like Bristol, conditions of the county including the streams and run-off, instead of the Sparta Teapot Museum—spend the money on a recreation center for the teens, recreational areas that we already have, if the Teapot Museum is allowed to open it will add to the already high property taxes, middle school discussions, if schools aren't adequate why was it built the way it was, her experience with school personnel, experiencing staff problems rather than inadequate facilities, staff unfit to teach the children and the middle school won't change that. On behalf of his mother, he thanked the Commissioners for their time.

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

Randy Blankenship, Chief Building Inspector, came before the Board to discuss the Building Permit Application changes. He explained why changes are needed. He stated that this is no additional costs to the contractors. He explained that it would take an additional five minutes unless the project falls in one of the categories.

County Manager Don Adams highlighted the areas that are the new required information; well permit number, brief description, Planner's signature and comments. He explained that this information was provided to the contractors, and Kathy Murphy provided information about how the ordinance could apply to building projects. He reviewed the stamps that will be required on plats and the reasons.

Randy Blankenship talked about a lot of this is State law that hasn't been being enforced.

Commissioner Doug Murphy, Randy Blankenship and County Manager Don Adams talked about this is what was presented to the Home Builders Association.

Jerrold Davis stated that he brought this subject up at their last meeting. He stated that as far as he knows, no one has any problems with it. He further stated that most of them understand that this is State regulations that haven't been being enforced.

Chair Ken Richardson explained that the Board is trying to do this to help everyone.

Commissioner Doug Murphy stated that he thinks it is good that this was discussed by the people involved in the building industry.

Commissioner Milly Richardson and Randy Blankenship talked about this is a

State-wide issue.

Randy Blankenship talked about how good the Home Builders Association has been to work with.

Jerrold Davis thanked Randy Blankenship and his staff for sending information to them to allow time to review it.

Commissioner Randy Miller said that he talks with these guys all of time. He urged everyone to have open ears and listen to what they think. He stated that they have a lot of good ideas.

Commissioner Milly Richardson stated that the Board is aware of how important this industry is to the county.

Commissioner Milly Richardson made a motion to approve the changes on the building permit. Commissioner Randy Miller seconded the motion. Vote 5:0.

Kathy Murphy, Planner, reviewed the subdivision ordinance wording changes. She talked about prior discussions regarding private roads and minor subdivisions, roads within subdivisions. She stated that they looked at minor subdivisions and private driveways. She further stated that the underlined portion of the handouts is new.

County Manager Don Adams read the changes to the ordinance "No Minor Subdivision will be allowed within a subdivision that results in a subdivision totaling six (6) or greater lots, building sites, or other divisions of land (including but not limited to previously subdivided and recorded subdivision lots, proposed subdivision lots, and new minor subdivision lots) without meeting the requirements of the Major Subdivision standards as set forth in this Ordinance. Private Driveways will not be utilized to access more than one (1) lot building site, or other divisions of land within any subdivision or combination of subdivisions totaling six (6) or greater lots, building sites, or other divisions of land (including but not limited to previously subdivided and recorded subdivision lots, proposed subdivision lots, and new minor subdivision lots)." He reiterated that it meant that you can access your lot.

Commissioner Milly Richardson made a motion to approve the changes.

Chair Ken Richardson talked about the Board has to have a public hearing before action.

Commissioner Milly Richardson rescinded her motion.

Commissioner Warren Taylor and Kathy Murphy talked about family subdivisions. Kathy Murphy further talked about the changes of a driveway maintenance agreement; which is required and if future development is possible a 50-ft. right of way is required.

County Manager Don Adams gave examples.

Commissioner Doug Murphy asked how often of an occurrence is it to have a subdivision within a subdivision.

Kathy Murphy said it happens a lot. She gave examples.

Chair Ken Richardson talked about scheduling a public hearing for the first meeting in April.

Commissioner Milly Richardson made a motion to hold a public hearing the first meeting in April. Commissioner Warren Taylor seconded the motion. Vote 5:0.

Donna Key with the Wilkes Center for the Deaf presented their annual report including they had 25 contacts from this area, 5 referrals, 7 personal assistances and placed 1 application for the hearing aid bank. She explained that the State now does the hearing aid bank. She thanked the Board for the support and hope the Board will

continue to support them. She stated that they depend on donations.

Chair Ken Richardson thanked her for her report.

County Manager Don Adams reminded the Board of the joint meeting with the Town on March 31, 2008 at 7:00pm at Sparta Town Hall. He further reminded the Board about the budget planning session on March 19 at 6:30pm.

County Manager Don Adams informed the Board of one change on the Chief Building Inspector's job description and the reasons for the change.

Commissioner Doug Murphy made a motion to approve the job description. Commissioner Warren Taylor seconded the motion. Vote 5:0.

County Manager Don Adams presented budget amendment BDC Fund #1 in the amount of \$15,682 and budget amendment General Fund #25 in the amount of \$764. He explained that these monies are being used to build a trail between Wilkes Community College and Alleghany High School.

Commissioner Milly Richardson made a motion to approve budget amendment BDC Fund #1 in the amount of \$15,682 and budget amendment General Fund #25 in the amount of \$764. Commissioner Warren Taylor seconded the motion. Vote 5:0.

County Manager Don Adams presented the proposed contract for a training facility master plan with Cavanaugh. He explained reasons why he is asking for the engineering contract including environmental issues on the property. He further explained the concept of a training facility at the Armentrout property at the fairgrounds. He stated that the engineering group would work with the Fire Commission to develop a master plan for the area. He explained what is covered in the plan. He talked about 911 funds that are being freed up to go towards this safety plan. He further talked about making this part of the budget process. He said it will be \$6,800 to develop this plan. He explained the fund balance in the 911 Fund being \$400,000 and using \$100,000 of that for a dispatch console.

Commissioner Milly Richardson explained the Fire Commission meeting, how they expressed the need for a training facility and their excitement about the project.

County Manager Don Adams talked about Steve Allen's report and how this relates to building the volunteer base.

Commissioner Doug Murphy said that he received a letter from a younger volunteer and hopes that this will generate interest with the younger generation.

Commissioner Milly Richardson made a motion to approve the contract. Commissioner Warren Taylor seconded the motion. Vote 5:0.

County Manager Don Adams presented a resolution in support of the RC&D program.

Commissioner Milly Richardson made a motion to approve the resolution. Commissioner Doug Murphy seconded the motion. Vote 5:0.

County Manager Don Adams stated that as a policy Alleghany County does not reimburse employees for travel in the county and it is applied across the board to all employees. He explained that Kate Cosner is asking for reimbursement for Election staff on Election Day for their travel.

The Board of Commissioners talked about vehicles available on Election Day. The Board further talked about the request and decided that until they change the policy, it has to be applied to everyone.

County Manager Don Adams presented the QZAB resolution. He explained that the only changes are the bank name and date. He further explained that it is the same holdings group with a change to a bank in New Mexico.

Commissioner Milly Richardson made a motion to approve the resolution. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Dr. Jeff Cox, Superintendent, stated that he wanted to thank the County Manager who has put in dozens of hours to save money on this project.

Commissioner Doug Murphy stated that he asked that an economic developer/grant writer be put on the agenda. He stated that it is coming up to budget time. He talked about four areas that are crucial when someone is looking to come here or stay here; safety, education, recreation, and infrastructure. He said that when everyone is looking at the total package, the Board should look at an economic developer/grant writer and business retention. He stated that he thinks it is time to look at an economic developer/grant writer. He reiterated that at budget time this is something that needs to be done.

Chair Ken Richardson suggested having some discussions with the Town about having a joint effort. He talked about how this impacts the County and the Town.

Commissioner Milly Richardson agreed. She talked about High Country Council of Government's access and getting all of the help that the County can get through them. She further talked about the County needs help to get this.

County Manager Don Adams stated that he and Commissioner Murphy have had long conversations about this, and he has talked to Bryan Edwards. He said he has been looking at ways to make this possible. He talked about when looking at an economic developer people think industrial development/workforce development, which are two totally different needs. He stated that the County needs to be very clear about what the job duties will be.

Commissioner Doug Murphy talked about working with the BDC, Chamber, existing businesses, and find ways to help them.

County Manager Don Adams stated that as a County employee, they will have to fit in the County's pay plan.

Chair Ken Richardson said to include this in a budget session for additional discussions and to bring it up at the joint meeting.

Commissioner Milly Richardson said that a situation has been brought to her attention. She talked about if a house burns, has to be torn down, and debris hauled away; she thinks they shouldn't be charged \$55 at the Transfer Facility.

Commissioner Milly Richardson made a motion to create a policy that when someone's home/private building burns that they are not charged the solid waste fees. Commissioner Randy Miller seconded the motion.

County Manager Don Adams clarified that this would apply to property that is in the newspaper about someone's house burns down. He talked about the need to separate the materials. He asked the Commissioners to give him leeway and to require homeowners to separate the materials because the least amount that goes down the road, the less money the County has to pay.

Commissioner Warren Taylor talked about it would be easy for the Transfer Facility to check with Gerald Leftwich.

County Manager Don Adams talked about having people contact him to arrange times for them to come in on certain days/times so he can let the Transfer Facility know.

Commissioner Doug Murphy and Commissioner Randy Miller talked about this is a good gesture on the County's part. Commissioner Randy Miller asked that it be reworded to include the requirement of separating the materials.

Commissioner Milly Richardson said to add that to her motion.

County Manager Don Adams gave an example of blocks and metal.

Commissioner Warren Taylor suggested that the County Manager and Commissioner Milly Richardson write down the guidelines.

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

County Manager Don Adams explained that he called Portia Manley at NCDMV, and she explained that they took applications, interviewed potential individuals; job was offered and turned down. He explained that Ms. Manley said she thinks she will advertise and take applications again.

Commissioner Randy Miller stated that he thinks this should be revisited by the Commissioners.

Commissioner Doug Murphy stated that the Board left the door open to readdress this issue.

County Manager Don Adams passed out information that Mary Walker provided earlier to the Board showing the revenues around \$41,000 with expenses for two full-time employees being \$65,000.

Chair Ken Richardson stated that if the State has no choices, they will not re-advertise it. He said that the Board will look at this.

County Manager Don Adams explained what the process is. He further explained that it will take at least 60 days to get the office open.

The Board of Commissioners talked about reasons for looking at this issue again.

Commissioner Randy Miller talked about bringing it back here.

Chair Ken Richardson asked that this issue be put on the agenda for the first meeting in April.

County Manager Don Adams stated that he will tell her that the County is interested and will look at it the first meeting in April.

Chair Ken Richardson reiterated that if no one will be selected from the first applicants, then the County will take it back up.

Commissioner Randy Miller talked about not knowing how many people will apply and maybe they wouldn't have to take all of the trainings.

Chair Ken Richardson said that the Board will decide at the next meeting.

Commissioner Doug Murphy stated that the vote has come in on the middle school. He further stated that there are still needs at the schools, and the Board needs to be aware of that.

Being no further business, Commissioner Milly Richardson made a motion to adjourn the meeting at 4:57pm. Commissioner Randy Miller seconded the motion. Vote 5:0.

Respectfully Submitted,

Karen Evans  
Clerk to the Board

Attest:

Ken Richardson  
Chairman

ALLEGHANY COUNTY

NORTH CAROLINA

**RESOLUTION IN SUPPORT OF THE  
RESOURCE CONSERVATION AND DEVELOPMENT (RC&D) PROGRAM**

**WHEREAS**, Resource Conservation and Development (RC&D) Councils help plan and carry out activities that increase conservation of natural resources, support economic development and enhance the environment and standard of living in local communities. RC&D Council members are volunteers and include local, civic, appointed, and elected officials. RC&D Councils are non-profit entities that work in partnership with USDA's Natural Resources Conservation Service through a federal coordinator; and

**WHEREAS**, the RC&D program is one of the federal government's true success stories with its ability to return \$7.50 for every dollar the federal government invests to support economic development and resource protection in rural and urban areas; and

**WHEREAS**, the United States Department of Agriculture (USDA) has estimated that it takes an average of \$207,500 to fully operate an RC&D Council. Currently, there are 375 R&D Councils serving 180 million people in 2,693 counties in all 50 states, the Caribbean, and the Pacific Basin. There are also 38 pending applications;

**NOW THEREFORE, BE IT RESOLVED** that the Alleghany County Board of Commissioners hereby expresses their strong support for the Resource Conservation and Development (RC&D) program and encourages the United States Congress to continue it's support for the program by restoring the \$56 million appropriation in the Fiscal Year 2009 budget in order to move existing Councils toward full funding and to consider increasing the level of funding for this worthwhile community program to expand into new areas; and

**BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the United States Department of Agriculture, and to all members of North Carolina's congressional delegation.

Adopted this 17<sup>th</sup> day of March, 2008.

ALLEGHANY COUNTY

NORTH CAROLINA

**Resolution Providing Final Approval of Terms and  
Documents for QZAB School Improvements Financing**

**WHEREAS:**

Alleghany County has previously determined to carry out a plan (the "Project") to undertake the acquisition and construction of various improvements to Alleghany High School, Glade Creek School, Piney Creek School and Sparta Elementary School. The County has also stated an intent to finance Project costs by the use of an installment contract, as authorized under Section 160A-20 of the North Carolina General Statutes, that qualifies as a "qualified zone academy bond" (a "QZAB"). The QZAB program is a federal tax credit program that provides for very low cost financing for qualified school projects.

The County Manager has worked to obtain a proposal from New Mexico Bank & Trust, of Albuquerque, New Mexico ("NMB&T"), to provide the QZAB installment financing to the County with a zero percent nominal interest rate.

The County Manager has made available to this Board the draft agreements listed on Exhibit A (the "Agreements"), which relate to the County's carrying out the QZAB financing plan.

**BE IT THEREFORE RESOLVED by the Board of Commissioners of Alleghany**

**County, North Carolina, as follows:**

**1. *Determination To Proceed with Financing*** – The County confirms its plans to undertake and finance the Project. The County will carry out the plan in accordance with a financing proposal dated March 13, 2008, from NMB&T. This proposal has been provided to the County through the agency of North by Northwest Capital, a financial services company in the business of matching eligible QZAB borrowers with prospective QZAB lenders.

Under the financing plan, NMB&T will make funds available to the County for use on Project costs. The County will repay the amount advanced over time. As part of the plan of financing, the Alleghany County School Board will convey some portion of the real estate to be improved through the QZAB financing, so that the transferred school can provide collateral for the financing. The County will grant to NMB&T a mortgage-type interest in the school to secure the County's repayment obligation.

**2. *Approval of Agreements; Direction To Execute Documents*** -- The Board approves the forms of the Agreements submitted to this meeting. The Board authorizes and directs the Board's Chair and the County Manager, or either of them, to execute and deliver the Agreements in their final forms. The Agreements in their respective final forms must be in substantially the forms presented, with such changes as the Chair or the County Manager may approve, and with any appropriate modifications to reflect the requirements of the QZAB program. The Agreements in final form, however, must be consistent with the financing plan described in this resolution and must provide (a) for the amount financed by the County not to exceed \$2,000,000, (b) for an annual interest rate not to exceed 0.00% (in the absence of default, or a change in tax status), and (c) for a financing term not to extend beyond December 31, 2028.

In addition, the Board's Chair and the County Manager, or either of them, are authorized and directed to approve, execute and deliver any further documents and agreements they deem desirable for carrying out the purposes and intents of this resolution. It is the Board's understanding that the financing documents may include (a) a lease agreement, providing for the School Board to continue to use the transferred school property during the term of the financing, and (b) an agency agreement, under which the School Board will carry out the planned school renovations on the County's behalf.

The execution and delivery of any document by an authorized officer will be conclusive evidence of his approval of the final form of such document.

**3. *Authorization to County Manager To Complete Closing*** – The County Manager and all other County officers and employees are authorized and directed to take all proper steps to complete the financing in cooperation with NMB&T and in accordance with the terms of this resolution.

The Board authorizes and directs the County Manager to hold executed copies of all financing documents authorized or permitted by this resolution in escrow on the County's behalf until the conditions for their delivery have been completed to such officer's satisfaction, and thereupon to release the executed copies of such documents for delivery to the appropriate persons or organizations.

Without limiting the generality of the foregoing, the Board specifically authorizes the County Manager to approve changes to any Documents, agreements or certifications previously signed by County officers or employees, provided that such changes do not conflict with this resolution or substantially alter the intent from that expressed in the form originally signed. The County Manager's authorization of the release of any such document for delivery will constitute conclusive evidence of such officer's approval of any such changes.

**4. *Resolutions As To Tax Matters*** -- The County will not take or omit to take any action the taking or omission of which will cause its obligations to pay principal and interest (the "Obligations") to be "arbitrage bonds," within the meaning of Section 148 of the United States Internal Revenue Code of 1986, as amended, including the applicable Treasury regulations (the "Code").

5. ***Designation as a QZAB*** – The County designates the Obligations as a “qualified zone academy bond” for the purposes of, and within the meaning of, Code Section 1397E. The County and NMB&T intend that the financing will qualify as a QZAB.

6. ***Miscellaneous Provisions*** -- All County officers and employees are authorized and directed to take all such further action as they may consider necessary or desirable in furtherance of the purposes of this resolution. All such prior actions of County officers and employees are ratified, approved and confirmed. Upon the absence, unavailability or refusal to act of the County Manager, the Board’s Chairman or the Finance Officer, any other of such officers may assume any responsibility or carry out any function assigned in this resolution. All other Board proceedings, or parts thereof, in conflict with this resolution are repealed, to the extent of the conflict. This resolution takes effect immediately.

Adopted this the 17<sup>th</sup> day of March, 2008.