

The Alleghany County Board of Commissioners met in regular session on Monday, April 2, 2007, at 6:30pm in the Commissioners 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 Attorney Donna Shumate, County Manager Don Adams, and Clerk to the Board Karen Evans.

Chair Ken Richardson called the meeting to order.

Commissioner Randy Miller led the Pledge of Allegiance and opened the meeting with a prayer.

Chair Ken Richardson stated that Linda Hash will not be attending this meeting and should be removed from the agenda.

Commissioner Doug Murphy made a motion to approve the amended agenda for this April 2, 2007, meeting. Commissioner Warren Taylor seconded the motion. Vote 5:0.

AGENDA
Monday, April 2, 2007
6:30 PM

- 6:30 Meeting Called To Order, Pledge of Allegiance and Prayer
Motion on Agenda for April 2, 2007, meeting
Motion on Minutes for March 14, 2007, and March 19, 2007, meetings
- 6:35 A. Public Comments—30 minutes
B. Cora Neville
RE: Volunteer Recognition
C. Paul Reeves
RE: Right of Ways
D. Gleason James
RE: Citizens for Fairness
E. Jeff Spickard/Bryan Edwards
RE: Joint Water Authority
F. Register of Deeds Annual Report
G. Soil & Water Annual Report (deleted)
H. Fire Commission Report
I. County Business
1. Joint Meeting Reminder—4/30/07 7pm County Commissioner Meeting Rm
2. Long Term Care Advisory Committee Appointment
3. Commissioners Meeting Room
4. Planning Board Update
5. Other Business
6. Closed Session—NCGS 143-318.11 (a) (3)—legal
NCGS 143-318.11 (a) (6)—personnel
7. Adjourn

Chair Ken Richardson asked for public comments.

Hoyt Sparks stated that he has a question about the 30 minutes public comments section not being used in its entirety. He requested to have 15 minutes at the beginning of the meeting and 15 minutes at the end of the meeting. He explained why he is asking for the change. He talked about the newspaper article regarding the tax rate and that isn't reducing his taxes at all. He further talked about lowering the tax rate won't cut it because a spending cut is needed.

Mark Sanders thanked the Commissioners for the time here and stated that according to the information that he obtained, the County is only required to maintain a \$1,000,000 in an emergency fund. He talked about a handout that shows a fund balance of \$3,174,198. He asked shouldn't we use the excess of \$2,174,198 before

setting the 2007/2008 budget.

Lori Sanders talked about the expenditures that are not mandated or obligated in the amount of \$2,780,668. She asked why this money was spent if we didn't have to spend it.

Page Richardson asked about the \$64,359 spent in Emergency Management with \$48,649 being county tax dollars and \$15,710 in outside revenues. He stated that there is only one employee with one vehicle. He asked what the taxpayers get for this \$64,359.

Joe Sizemore talked about providing \$60,587 to the Chamber of Commerce, and according to General Statutes 153A-149 he can't find where the County can legally give tax money to support town businesses. He asked for an explanation of this.

Dean Choate stated that he has been looking at the Register of Deeds budget. He further stated that we spend \$105,000 in stamps and \$185,044 for the Register of Deeds for a total of \$290,044. He said that he doesn't understand why deed stamps don't pay for the replacement stamps. He asked how many people are employed at the Register of Deeds office.

Ricky Crouse thanked the Commissioners for providing this time. He stated that he has looked over the budget for 2006/2007 and the interest income of \$185,474. He talked about to get that much money in interest there must be a lot of money in the pile. He agreed with Mr. Sparks that even with taxes at 44¢, it is going to hurt. He asked the Commissioners to take the time to look in all of the little pockets to see what can be used before setting the budget.

DW Miles talked about the action at the last meeting that adds sales tax or property tax on property transfers. He stated that before something of this magnitude is passed; a banker, land appraiser, builder, building supply person should have been involved to offer their input because it will put a burden on mainly the person that is buying their first house. He further stated that regardless of who pays it is; it is taxes. He talked about the impact to the people. He said he appreciates this time but he thinks that this should be incorporated into the agenda because he understood from the first meeting that the people would be allowed to offer input on important decisions before it is voted on. He talked about placing the public comments section at the beginning of the meeting instead of the end, definitely helps. He further talked about everyone benefiting from that change. He talked about the first order of business for the planning board should be the ordinances that put neighbors against neighbors.

Gail Choate asked a question about the line item of interest earned on investment and asked if anyone has considered using matured interest to pay for county expenses instead of new loans. She talked about lowering the taxes to 44¢ will double their taxes. She stated that a 20¢ tax rate will be about what they have been paying. She mentioned using the earned interest.

Chair Ken Richardson asked for further comments. None were received.

Commissioner Milly Richardson made a motion to approve the minutes for the March 14, 2007, and March 19, 2007, meetings. Commissioner Randy Miller seconded the motion. Vote 5:0.

Chair Ken Richardson presented Cora Neville a certificate of appreciation for her dedication and hard work.

Cora Neville thanked the Board for the certificate and recognition. She read a poem in regards to her charity work. She reviewed how her organization has helped needy people in the community and world-wide. She talked about hoping to see something here for the youth and the need to provide for the future. She further talked about having skate board parks in the county. She thanked the Commissioners.

Paul Reeves read the intent of the Property Rights Protection Ordinance; developed with the intent to promote the orderly development of the county in order to

protect the safety, health and general welfare of the citizens of Alleghany County, without depriving individual property owners of their rights. He talked about right-of-ways that serve hundreds of people and can't be changed because they can't purchase more land. He stated that people must divide their land in 10-acre lots because they can't obtain more right of way. He talked about how this issue is handled in Ashe County, Wilkes County and Watauga County. He mentioned property with the right of way is valued at the same rate as property on the state road. He mentioned a couple of roads in particular Spicer Mountain Road and Elk Creek Church Road. He stated that in order to be fair to people in Alleghany County, the County should look at what Ashe County is doing, and cut it down to five acres. He further stated that it is not fair to people that have lived here all their lives and can't get anymore right of way. He gave examples of property on the river. He said he will not argue that 30 feet is better than 12 feet but the Board of Commissioners adopted the ordinance and placed a burden on the citizens. He gave examples of how this is a burden to the citizens because of the requirement for a 50-foot road. He said that our citizens should be treated as fair as citizens in Ashe County. He stated that he is proposing putting this to a vote and vote it up or down. He further stated that he would be glad to show the Commissioners where these roads are.

Commissioner Milly Richardson and Paul Reeves talked about forcing right of ways and letting the buyer and seller work it out.

Paul Reeves talked about septic tanks are controlling things more than zoning. He talked about the subdivision ordinance is more to protect the buyer. He stated he would like to see the County consider this and doesn't see why Alleghany County people can't be treated the same as Ashe County.

Gleason James stated that for the past 27 years he has been watching Alleghany County go down, and asked when this madness will stop. He further stated since there are three new, young Commissioners, they hold the future in their hands. He talked about the seven weaknesses, and the past Commissioners have had a hard time controlling the seven weaknesses. He stated that the new Commissioners were elected because the people want a change and this will only be accomplished by the Commissioners saying enough is enough. He explained that the Citizens for Fairness group is a watchdog group to watch the finances of the County, the group will continue and the current issue is the tax rate. He stated that their research shows it should be 20¢ per \$100. He reiterated their goal is to obtain a low tax rate and after July they will have other issues to bring up. He stated that they want to work with the Commissioners. He further stated that they have gone over the 06/07 budget and the proposed 07/08 budget and found many areas where the budget can be reduced instead of increased. He said they will bring the Commissioners what they have found. He stated an offer from the Citizens for Fairness group to work with the Commissioners. He talked about they have found a majority of employees at the Board of Education, Social Services and Mental Health are afraid to speak to this group because their fear of losing their job, and they shouldn't be afraid to speak. He stated that a big step to move forward is taking care of county employees. He said that right now they are asking for a 20¢ tax rate. He stated that there is a lot of fat that needs to be cut.

Commissioner Milly Richardson stated her appreciation for the comments.

Gleason James and Chair Ken Richardson talked about not allowing people in the audience to address the speaker. Chair Ken Richardson explained that the audience can talk to the Board by being on the agenda or in public comments.

Gleason James talked about taxpayers lost a lot of money because Bristol Compressors left. He stated to Chair Ken Richardson that he was a commissioner then. He further stated that if the Citizens for Fairness group had been established then, that wouldn't have happened. He asks that the Commissioners listen to the group.

County Manager Don Adams stated that he has asked Bobby Lane and Town Manager Bryan Edwards to come before the Board of Commissioners to answer any questions that the Commissioners may have regarding the water authority.

Commissioner Doug Murphy and Bobby Lane talked about the project is in the planning phase, and the goal to keep the lines on public right of way.

Commissioner Doug Murphy, Bobby Lane and County Manager Don Adams talked about the water authority has no taxing power in Alleghany County.

Bobby Lane explained the capacity of 1,000,000 gallons a day for use. He further explained that the capacity can be expanded to meet the demand as it grows.

County Manager Don Adams and Bobby Lane talked about there isn't another source of water in either area that could supply that amount of water. Bobby Lane explained their preliminary engineering report, and they could not rely on springs, wells and ground water because drought conditions could decrease those sources.

Commissioner Milly Richardson and Bobby Lane talked about the Town of Sparta's financial reasons to not continue with their existing wells.

Commissioner Milly Richardson talked about page 2 of the agreement. She explained that Mr. Adams has assured her that Alleghany County will not contribute to the water authority but at some point in time Alleghany County will be asked according to the agreement. She talked about page 8 and reviewing the usage on March 1. She asked if on March 1 one entity needs a lot more water, is one entity reduced until the plant can be expanded.

Bobby Lane explained that Alleghany County is not a participate is why Alleghany County will not pay. He further explained that if Alleghany County should need to be a participate, the water authority wanted to make a way for the County to be a participate. He reiterated that the County is not part of the construction or installation of the water lines, and if Alleghany County wants to be a part later, the County can be. He stated that section 4.1 and section 4.2, explains if an imbalance occurs, what happens and if it isn't enough water then section 4.4 explains how it is expanded.

Commissioner Milly Richardson and Bobby Lane talked about how you can operate at more than 100% capacity and getting permission to increase the gallon per minute rate while getting the plant built. They discussed that if the Town of Sparta needed more water then they would pay for it and if Alleghany County needs the water, the County would have to pay for it.

Commissioner Milly Richardson explained that isn't spelled out in the document. She stated that she understands that Alleghany County is not required to pay for initial construction but we are not exempted.

Bobby Lane stated that he can't speak for the water authority but they probably won't have a problem inserting that language.

Commissioner Doug Murphy and Bobby Lane talked about water rates and how they are calculated. Bobby Lane explained that the funding sources will not allow the water authority to start until all of the monies are in place.

Commissioner Milly Richardson asked about the agreement not having wording on rates.

Bobby Lane explained the different types of costs; operation, maintenance, replacement. He said that the water authority will expect the Town of Sparta to pay for a portion of the construction costs but this agreement doesn't say how the towns will pay it.

Commissioner Milly Richardson asked if the Town of Independence has signed the agreement.

Bobby Lane stated that they haven't.

County Manager Don Adams stated that he isn't asking for approval tonight. He

talked about working on section 4.4, changing wording to strengthen the document on the county-side and if the County asks for water then they must provide it, if not the County doesn't have to abide by the agreement.

Bobby Lane stated that Alleghany County's representatives on the water authority; Don Adams and Warren Taylor, have brought these issues up and are protecting the County's interest.

Commissioner Milly Richardson talked about wording to say the County is exempt from funding the project.

Commissioner Warren Taylor talked about article 1, section 1.1.

Bobby Lane talked about sections 4.2 and 4.4 about new capacity and reallocations. He explained that this agreement tries to address several what-ifs. He further explained that the water authority does have an attorney; Webster Day, and is reviewing this agreement.

Commissioner Randy Miller asked who the water authority answers to.

Bobby Lane stated that they answer to the local boards and regulatory agencies including the Health Department.

Commissioner Randy Miller and Bobby Lane talked about earlier conversations regarding the rates.

Commissioner Milly Richardson and Town Manager Bryan Edwards talked about the increase to the current rate. He explained the rates that the Town of Sparta's customers pay currently. He talked about this is an opportunity to take advantage of a situation that is available and may not be when it is needed later. He talked about there will be increased costs regardless of what is done.

Bobby Lane talked about presenting the worst case scenario. He further talked about they are at a point where the agreement needs to be adopted because the water authority needs the agreement to secure additional funds.

Chair Ken Richardson thanked Bobby Lane and Town Manager Bryan Edwards.

Lizabeth Roupe came before the Board to present the annual report for the Register of Deeds office. She reviewed the number of deeds recorded, cancellation of deed of trusts recorded, excise tax collected, value of property transferred, number of vital certified records issued, marriage licenses issued, death certificates recorded, plats recorded, new notaries sworn in and the number of non-certified records issued. She explained other actions in their office. She stated that their office doesn't require any taxpayers' money to operate. She reviewed their goals. She further reviewed the duties of her staff. She stated that she checked data for the first quarter and it is higher than last year.

The Board of Commissioners thanked Mrs. Roupe.

Commissioner Milly Richardson gave the Commissioners information from the last fire commission meeting. She explained how the volunteer fire departments operate a \$60,000-\$70,000 budget with the County giving \$30,000-\$35,000, and they raise the rest. She stated that the volunteer fire departments requested one to two acres of land to construct a training facility. She further stated that they will build the facility if the County provides the land. She talked about they discussed district signs need to be put up. She further talked about the need for GPS units for each department. She said she has already talked to the County Manager about the land for the training facility. She asked everyone to open your hearts and pocket books to the fire departments in their fundraising activities.

County Manager Don Adams reminded the Board about the joint meeting with the Town on April 30 at 7:00pm at the County Administration Building.

County Manager Don Adams presented a letter requesting that Pat Polley be reappointed to the Long Term Care Advisory Committee.

Commissioner Milly Richardson made a motion to approve the reappointment of Pat Polley to serve on the Long Term Advisory Care Advisory Committee. Commissioner Warren Taylor seconded the motion. Vote 5:0.

County Manager Don Adams updated the Commissioners regarding the planning board activities' including their first meeting was on March 20. He explained the activities from the meeting; oaths, bylaws, appointed chair and a vice-chair. He stated that they have copies of the ordinances to review them. He talked about the two main issues currently is the feed store issue and the Stacy Evans issue. He stated that the planning board has set their regular meeting to be the 2nd Monday each month. He further stated that this month's meeting has been moved because of the holiday weekend so the next regular meeting will be on April 23. He talked about having a meeting on April 17 to review the ordinances. He explained the meetings and what they will consider at those meetings.

County Manager Don Adams stated that he has given everyone an opportunity to get use to a larger meeting room. He reminded everyone that a sound system has been budgeted for \$6,000 for the room. He asked the Commissioners about the need for a sound system.

Commissioner Warren Taylor and County Manager Don Adams talked about the sound system and the sound issues on the video camera. County Manager Don Adams stated that he wants the Commissioners' feedback.

Commissioner Warren Taylor stated that he doesn't have any problems hearing the audience.

Page Richardson stated that the audience has to pay attention to hear.

Chair Ken Richardson asked for everyone to pass their comments to the County Manager regarding the sound.

County Manager Don Adams asked the Board of Commissioners about having another meeting with the Board of Education.

Chair Ken Richardson asked the County Manager to get with Dr. Cox regarding dates.

County Manager Don Adams asked how the Commissioners want to proceed, and he could put the item on the next agenda.

Commissioner Doug Murphy stated the Commissioners need to meet as Commissioners to decide.

County Manager Don Adams asked about coming on April 30 at 6:00pm. He stated that he is looking for the Board to have discussions about the direction regarding the schools.

The Board stated they have no problems with 6:00pm on April 30.

Commissioner Doug Murphy made a motion to enter into closed session at 8:10pm under NCGS 143-318.11 (a) (3)—legal and (a) (6)—personnel. Commissioner Warren Taylor seconded the motion. Vote 5:0.

Commissioner Milly Richardson made a motion to adjourn the closed session at 9:10pm and reconvene the regular meeting. Commissioner Doug Murphy seconded the motion. Vote 5:0.

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

Being no further business, Commissioner Randy Miller made a motion to

adjourn at 9:11pm. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Respectfully submitted,

Karen Evans
Clerk to the Board

Attest:

Ken Richardson
Chairman