

The Alleghany County Board of Commissioners met in regular session on Monday, April 7, 2014, 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-Chairman 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 talked about Planning Discussions need to be added to the agenda after General Business #7.

Commissioner Smith made a motion to approve the amended agenda for this April 7, 2014, meeting. Commissioner Leys seconded the motion. Vote 5:0.

AGENDA
Monday, April 7, 2014
6:30 PM

- 6:30 Meeting Called To Order, Pledge of Allegiance and Silent Prayer
Motion on Agenda for April 7, 2014, Meeting
Motion on Minutes for March 3 & March 17, 2014 Meetings
- 6:35 A. Wendy Williams – E-911/Mapping Coordinator
1. Present information regarding new road name; His Way Lane.
 2. Public Hearing – Chairman open public hearing to receive comments regarding the proposed new road name. Chairman close public hearing after receiving comments.
 3. Action Requested – Vote on the proposed road name.
- 6:40 B. Linda Checkanow
RE: Appearing before the Board to request that the Alleghany County Animal Control Ordinance be updated.
- 6:50 C. Sparta-Alleghany Volunteer Fire Department Annual Report
- 7:00 D. Laurel Springs Volunteer Fire Department Annual Report
- 7:05 E. General Business
1. Alleghany County Community Advisory Committee for Long Term Care
John Nieschwitz has indicated his willingness to be appointed to a one-year term to serve on the Alleghany County Community Advisory Committee for Long Term Care. Action Requested – Vote on the appointment.
 2. Alleghany County Extension Director Position
North Central District Extension Director James Cowden is requesting to appoint Amy Lucas as Alleghany County's permanent Extension Director. Action Requested – Vote on the appointment.
 3. Fuel Oil, Off Road Diesel & Kerosene Bids
Bids for County purchase of fuel oil, off road diesel and kerosene will be opened April 4, 2014. The bid results will be presented at the meeting. Action Requested – Vote to award the fuel purchase contract.
 4. Sparta Revitalization Budget Amendment
General Fund Budget Amendment #14 in the amount of \$2,700 to assist SRC in purchasing decorative lights for Main Street. Action Requested – Vote on General Fund Budget Amendment # 14 in the amount of \$2,700.
 5. Social Services Budget Amendments
General Fund Budget Amendment # 15 in the amount of \$5,328 to budget additional Federal revenues to assist low income residents to pay for fuel and energy costs. General Fund Budget Amendment # 16 in the amount of \$22,665 to purchase a previously approved van. Actions Requested – Separately vote on General Fund Budget Amendments # 15 and #16.
 6. Alleghany County Transportation Priorities
Continued discussions regarding priorities. Top three priorities must be submitted to the High Country Council of Governments by April 22, 2014.
 7. Farmer's Market
Continued discussions regarding a permanent Farmer's Market. The Town of Sparta has purchased additional property adjacent to Crouse Park. Discussions will revolve around seeing if there is an interest from the County to financially partner with the Town of Sparta in building a permanent Farmer's Market.
 8. Planning Discussions (added)
- F. Commissioner Comments
- G. Public Comments—30 minutes

H. Closed Session—NCGS 143-318.1 (a) (3)—legal

I. Adjourn

Commissioner Leys made a motion to approve the minutes for the March 3 and March 17, 2014, meetings. Commissioner Goudreau seconded the motion. Vote 5:0.

Wendy Williams, E-911/Mapping Coordinator, presented one road name for consideration; His Way Lane. She explained the location of the road.

Chair Cox opened the public hearing regarding the E-911 road name at 6:33pm and asked for comments. None were received. He closed the public hearing and reconvened the regular meeting.

Commissioner Smith made a motion to approve the road name as presented by the E-911/Mapping Coordinator. Commissioner Leys seconded the motion. Vote 5:0.

Linda Checkanow came before the Board to talk about the Animal Control Ordinance. She talked about an incident regarding their neighbors' dogs coming into her yard and killing 2 chickens and injuring another one. She explained that she called Animal Control then the Sheriff's Department. She further explained an incident 3 years ago that was handled differently and asked what was different. She talked about going to the Magistrate's Office. She stated that the Animal Control Ordinance was adopted in 1983, and this is happening here in town and out in the county. She stated that the Ordinance doesn't have any teeth. She explained portions of the Ordinance where the dogs can be picked up by Animal Control and the owner can pick them back up. She quoted Section 11 of the ordinance. She asked what happens when the damage has already been done. She said it is supposed to be a misdemeanor. She further said that she spent a lot of time on this and ended up filing charges but she felt like it should have been the Sheriff's Department that should have done that. She stated the ordinance needs to be reviewed. She talked about the County using the Maintenance staff for Animal Control and the Sheriff's Department should be taking care of this. She further talked about there is no Animal Control after 3:00pm and none on the weekends. She explained that there should be a way to beef up the ordinance and provided examples like fines needs to be stricter, penalties greater and the need for a provision in the ordinance to collect for damages. She stated she thinks the Commissioners need to reexamine, rewrite and update the ordinance to protect the people and livestock from dogs running at large and to make the penalties harsh enough for the people who don't feel the need to act responsible to be compelled too.

Commissioner Leys talked about maybe having a committee to study this.

County Manager Don Adams explained that it is strictly a resource issue. He described the current process. He talked about how the Town of Sparta has their own ordinance and would recommend someone call the Town Police for issues in Town. He explained that out in the county it is unlawful for a dog to run at large and cause a nuisance plus it is unlawful to have a vicious animal. He described what a vicious animal is. He talked about procedures for general dog calls including not going out at night or on weekends unless there is a bite or rabies involved, which rabies involves the Health Department. He explained the need to have the ability to go through the process to file charges with the magistrate and go to court. He reiterated that we lack resources to take it to the next level and the County does everything possible to settle it before it gets to court because of the lack of resources. He explained the County does work with the Sheriff's Department. He stated that recouping damages would still have to be decided by the courts.

Linda Checkanow stated that they do have a court date because the lady wouldn't talk to them. She talked about increasing the fees. She further talked about having a liaison in the Sheriff's Office to work on the animal control calls. She reiterated her request to look at this ordinance.

Commissioner Leys and the County Manager talked about the Town's fees.

Commissioner Davis and the County Manager discussed Maintenance still goes out on weekends for animal bites and rabies.

Chair Cox and Commissioner Leys talked about studying this little more and report back.

Joseph McGrady, Chief at Sparta-Alleghany Volunteer Fire Department, came before the Board to present their annual report. He presented statistics including the number of members, started a junior fire fighter program, over 1000 training and work detail hours, obtained a road tractor from the forestry service to turn into a brush truck, financial overview, have training every Monday night, the number of calls since July and types of the calls, mutual aid calls, and currently working with Wilkes Community College offering emergency response classes.

Chair Cox and Joseph McGrady talked about the number of students in the classes, types of classes and seeing it grow in the future. Joseph McGrady talked about reaching out to the senior citizens about fire safety.

Commissioner Leys and Joseph McGrady talked about the number of members, which is a little low, and volunteerism is on a decline. Commissioner Leys stated she is impressed with the courage, dedication and hard work. She said thank you.

Joseph McGrady thanked the Commissioners for the support because without it there wouldn't be a fire department.

Commissioner Smith agreed with Commissioner Leys' comments regarding appreciation for the fire department. They talked about the junior members and all of the departments are going towards having junior members.

Commissioner Goudreau said thank you.

Dale Sheets, Assistant Chief at Laurel Springs Volunteer Fire Department, said they appreciate the Commissioners' support, and without the assistance the fire department wouldn't make it. He explained they have already put in several hours towards training. He invited the Commissioners to attend the annual meeting in September. He reviewed the number of members, junior members and how the junior members got started then became eligible to become members, which they did. He presented statistics including the number of calls, and types of calls. He said that they have made their last payment on the mini-pumper, remodeled our fire department, and wants to add a tanker but need a facility to house it in. He said thank you for your support. He talked about how the regulations get tougher every year.

Commissioner Leys asked about the age of the juniors. Dale Sheets stated that they are right out of school, and they think when they get to the scene.

Dale Sheets told the Commissioners that the texting portion is great. He explained that it cut down on a lot of radio talk, and it's a great plus. He reiterated his appreciation for the Board doing it. He continued to explain how great the text service is working.

Commissioner Davis said he was glad the texting is working, and communications has come a long way since he was firefighter.

County Manager Don Adams presented a letter from Julie Wiggins stating that John Nieschwitz has indicated his willingness to serve on the Alleghany County Community Advisory Committee for Long Term Care.

Chair Cox stated that he talked to John Nieschwitz, and he is excited about doing this. He explained that he has an elderly mother that he cares for.

Commissioner Smith and Chair Cox talked about the number of slots on this committee and Ms. Wiggins stated that the limit is 5, and she is excited about having a full committee.

Chair Cox reviewed that this committee inspects the nursing home and interviews the residents and provide a report back to High Country Council of Governments. Commissioner Leys said they meet once a quarter.

Commissioner Smith made a motion to approve John Nieschwitz to serve on the Alleghany County Community Advisory Committee for Long Term Care for a one-year term. Commissioner Davis seconded the motion. Vote 5:0.

County Manager Don Adams presented a letter from James Cowden who is looking to extend an offer to Amy P. Lucas to be the permanent Extension Service Director. He explained that they did go through an interview process.

Commissioner Leys made a motion to accept the offer for Amy Lucas to be the permanent Extension Service Director. Commissioner Smith seconded the motion. Vote 5:0.

County Manager Don Adams presented a summary of fuel oil bids and the proposed agreement. He explained that two bids were received; G&B Energies and Hometown Fuel & LP Gas. He further explained that Hometown's rates were less so it is his recommendation to go with Hometown and approve the agreement that is before the Commissioners.

Commissioner Leys made a motion to approve the agreement with Hometown Fuel & LP Gas. Commissioner Davis seconded the motion. Vote 5:0.

County Manager Don Adams presented General Fund Budget Amendment #14 in the amount of \$2,700 to assist Sparta Revitalization Committee to purchase decorative lights on Main Street that was discussed at a previous meeting.

Commissioner Smith made a motion to approve General Fund Budget Amendment #14 in the amount of \$2,700. Commissioner Leys seconded the motion. Vote 4:1 (John Goudreau).

County Manager Don Adams presented General Fund Budget Amendment # 15 in the amount of \$5,328 to budget for additional Federal monies for Social Services' energy assistance program. He explained that there is no County money involved.

Commissioner Leys made a motion to approve General Fund Budget Amendment # 15 in the amount of \$5,328. Commissioner Smith seconded the motion. Vote 5:0.

County Manager Don Adams presented General Fund Budget Amendment # 16 in the amount of \$22,665 to purchase a previously approved van for Social Services.

Commissioner Smith and County Manager Don Adams talked about how the van is on State contract.

Commissioner Smith made a motion to approve General Fund Budget Amendment # 16 in the amount of \$22,665. Commissioner Davis seconded the motion. Vote 5:0.

County Manager Don Adams talked about Alleghany County transportation priorities that were mentioned during the joint meeting. He explained that the top three priorities must be submitted to the High Country RPO by April 22. He reviewed the existing highway projects, High Country RPO new priorities list for highways, NCDOT Division 11 new projects list for highways and High Country RPO new projects list for public transportation. He provided handouts about how the priority system works.

Chair Cox talked about Highway 21, adding a third lane. The County Manager recommended making that a priority at a later time.

Commissioner Smith and County Manager Don Adams talked about how work should be starting this month on Highway 21. They talked about the Sparta Parkway Loop.

Commissioner Smith and Chair Cox talked about the work recently completed on the Roaring Gap mountain and additional work needed on the mountain.

County Manager Don Adams recommended it being priority #1 if it wasn't for the Sparta Loop. He talked about Roaring Gap mountain has had studies done on it. He further talked about the numerous complaints over the last 18 years. He said he recommends it stay high on the list. He explained the Town was expressing interest in the Loop staying high on the list. He stated that the third project is harder to decide.

Commissioner Smith and County Manager Don Adams talked about the two proposed roundabout locations and having high crash rates at these intersections.

Chair Cox stated people have to slow down for roundabouts.

Commissioner Leys said she doesn't want to make a decision tonight since the Commissioners have one more meeting before they are due.

County Manager Don Adams said he is going to call Mike Pettyjohn about his preference on the roundabouts. He explained that the RPO rules allow us to revisit the rankings in May and June, data driven rankings, waiting on the data to come out and not wanting to use their points on projects that don't have any chance of getting done. He talked about how the timeline has been approved by the State DOT, this isn't standard procedures, and the data may not be positive for Alleghany or any county. He used a roundabout example in the points scoring.

Chair Cox asked if he is correct in prioritizing Roaring Gap mountain, Sparta Parkway loop and the roundabouts. No one spoke.

County Manager Don Adams reiterated that he is calling Mike Pettyjohn about the Division's priorities.

Chair Cox talked about revisiting this at the next meeting.

County Manager Don Adams talked about this is continued discussions regarding a permanent Farmer's Market in the County and to financially partner with the Town of Sparta in building a permanent Farmer's Market. He reminded the Commissioners that the Town of Sparta has purchased additional property adjacent to Crouse Park. He stated he received an email from the Town Manager explaining that during the Town Council meeting, the Town Council was unanimous in their support for the project and partnership with the County, wants to see a site plan and understand the layout of the construction plan prior to the beginning of work. He stated the Town would to see this move as quickly as possible. He explained an aerial photo of the properties. He said that the Town has spent over \$80,000 to purchase these properties, and they are willing to partner with another entity.

Chair Cox welcome Councilman Chris Jones and Councilman Mike Parlier to the meeting.

Councilman Mike Parlier stated that they came in support, and the Farmers Market is looking for a permanent home. He stated that they are looking for some help to get this going.

Chair Cox talked about these plans tie in with our economic development plan regarding local foods. He said the Farmers Market has been looking for a permanent home for some time. He stated his appreciation to the Town for purchasing the property.

Commissioner Smith said he was encouraged by the discussions at the joint meeting, and this is a worthwhile project to pursue. Commissioner Smith and the County Manager talked about the Aerial photo and the need for more conversations about the houses. Commissioner Smith talked about the Farmers Market survey that was done and getting some representatives from both boards to pursue it.

County Manager Don Adams asked does the Board want to proceed. He talked about the Farmland Perseveration Plan's part in this. He talked about the Town has spent \$86,000. He listed out other items that it would cost including the costs to knock it down, grading, planning and putting a structure there. He explained that the money would come out of the 30 Fund, Economic Development Fund, and that fund has a little over \$100,000 undesignated. He reviewed the past revenues sources and history of the fund.

Chair Cox confirmed that it is not out of tax dollars.

County Manager Don Adams stated no, it's not the General Fund. He explained that it would cost \$7,000-\$8,000 to the Transfer Fund for disposal on each house, grading to be done, and could run around \$40,000-\$50,000.

Chair Cox talked about any possibility to get additional funds.

County Manager Don Adams explained that it does empower people like the Extension Service. He further explained that grantors want to see local support, and yes, the Extension Service could use that along with the property to leverage funds for additional grants. He talked about hopefully not spending that entire amount.

Commissioner Leys asked is there an area for parking.

County Manager Don Adams said he thinks that's a conversation with the Town. He talked about the Town will have to approve the plan. He further talked about the County sets aside money and coming back with plans before you proceed. He stated that the plan would have to be approved by both sides. He talked about needing some money for the planning portion.

Commissioner Goudreau talked about the need for some type of plan before making any commitments because there could be hazardous materials in the houses, and to research parking questions. He further talked about the need for a Farmers Market, and this is a good location that's worth looking into. He stated that it depends on the plan and the costs.

Chair Cox said he would like to see us move forward with some commitment showing our support to the Town, monies aren't coming from our fund balance because it is in the economic development fund.

Commissioner Leys made a motion to approve \$2,000 for a planning budget and allow the County Manager and Town Manager work together for construction estimates from economic development. Commissioner Goudreau seconded the motion.

Commissioner Smith asked the County Manager is that enough. The County Manager said it is enough to get started, and recommended having a committee to work on this. The County Manager

explained that there are no plans to spend money, and his vision is working with local contractors. The County Manager talked about getting a good estimate on our own. Commissioner Smith said if the motion passes, he would like to see us move along fairly quickly.

Chair Cox said he wishes the Board would commit the money, the Town committed \$80,000 and we are at \$2,000. He stated that we can do better than that. He talked about using it to leverage additional funds.

Commissioner Smith said he agrees to that as well.

Commissioner Goudreau asked are the Daymark monies set aside. County Manager Don Adams said that any repairs would come out of that money.

Chair Cox and County Manager Don Adams talked about it is \$45,000 annually.

Commissioner Leys and County Manager Don Adams talked it depends on how quick he can get people together would determine how long it would take to get this completed. She asked about coming back on April 21 with the numbers. He stated probably not because he has got to know what space he has before doing anything. He explained there has to be some discussions about parking before going much farther. He further explained that he would like to let a couple of people go trying to get additional monies by empowering the extension service, for example. He said he needs the ability to do that; not spend the money.

Commissioner Leys and County Manager Don Adams talked about \$2,000 for the environmental and schematics but he doesn't know at this time. He gave examples of not knowing yet for the environmental side but this would give him a start.

Commissioner Davis said he would like to see it move forward.

Commissioner Leys changed the motion to \$5,000 and then hope at the discussions on the 21st to make a further commitment.

Clerk to the Board Karen Evans stated that the first motion must be withdrawn prior to another motion being made.

Commissioner Leys withdrew her motion.

Commissioner Leys made a motion to allocate \$5,000 for the initial planning. Commissioner Davis seconded the motion. Vote 5:0.

County Manager Don Adams said the Board is aware the Planning Board heard an application on March 10 from a cell tower company to locate a cell tower, and it was denied. He explained that the company has appealed it to the Commissioners. He further explained that County Attorney is working on an opinion on how that needs to be heard. He said regardless of how it is heard, a training session is needed for the Board. He explained he is asking for the Commissioners to set up a special called meeting for the training. He reminded the board about the Board of Equalization and Review on Tuesday, April 15 at 6:30pm.

The Board and the County Manager talked about dates and times for the meeting. County Manager said he highly recommends the Board to go through the training.

Chair Cox and the County Attorney talked about how an hour is needed for the training.

The Board, the County Manager, and the County Attorney discussed dates/times, and that the Planning Board will be invited. They decided on April 15 at 6:30pm after the Board of Equalization and Review.

Commissioner Leys made a motion to hold a special meeting on April 15 at 6:30pm for Board training on planning procedures. Commissioner Smith seconded the motion. Vote 5:0.

Commissioner Leys talked about an email received from Dan Little announcing two upcoming seminars at Wilkes Community College including the dates/times for the seminars.

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

Susan Miles thanked for Board for everything covered tonight. She talked about Operation In As Much will be this coming Saturday. She explained what it means and ways for people to get involved.

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

County Manager Don Adams asked if he can schedule the meeting next Tuesday at 8:00pm if necessary because of Board of Equalization and Review.

Commissioner Goudreau made a motion to honor the County Manager's request. Commissioner Davis seconded the motion. Vote 5:0.

Commissioner Smith made a motion to enter into closed session under NCGS 143-318.11 (a) (3)—legal at 8:21pm. Commissioner Davis seconded the motion. Vote 5:0.

Commissioner Goudreau made a motion to adjourn closed session at 8:42pm and reconvened the regular meeting. Commissioner Smith seconded the motion. Vote 5:0.

Chair Cox stated that no actions were taken in closed session.

Being no further business, Commissioner Leys made a motion to adjourn at 8:43pm. Commissioner Davis seconded the motion. Vote 5:0.

Respectfully submitted,

Karen Evans
Clerk to the Board

Attest:

Larry Cox
Chairman