

The Alleghany County Board of Commissioners met in regular session on Monday, April 20, 2015, at 10:00am in the Board Meeting Room of the County Administration Building, 348 South Main Street, Sparta, North Carolina.

Present: Chair Tom Smith, Vice-Chair Karen Leys, Commissioner Larry Davis, Commissioner Mark Evans, Commissioner Bobby Irwin, County Attorney Donna Shumate, County Manager Don Adams, and Clerk to the Board Karen Evans.

Chair Smith called the meeting to order, led the Pledge of Allegiance and offered the Invocation.

Commissioner Davis made a motion to approve the agenda for this April 20, 2015, meeting. Commissioner Leys seconded the motion. Vote 5:0.

AGENDA  
Monday, April 20, 2015  
10:00 AM

- 10:00 Meeting Called To Order, Pledge of Allegiance and Invocation  
Motion on Agenda for April 20, 2015, Meeting  
Motion on Minutes for April 6, 2015, Meeting
- 10:05 A. Rita Miller, Tax Administrator
1. March Releases and Refunds - Standard release and refund of both automobile and real property taxes due to reasons listed on the report. Action Requested – Vote on releases and refunds.
  2. March Collections Report - Monthly 2015 collection rates through March as compared to 2014 monthly collection rates. No action requested.
  3. Enforced Collections Report – Summarizes enforced collections for the month of March 2015. No action requested
  4. Payment Agreement Report - List of people with payment agreements who did not make payments. No action requested.
  5. Residential Solid Waste Fee Release Request  
Action Requested – Vote on the request.
  6. Motor-Vehicle Appeal Request  
Action Requested – Vote on the request.
  7. Board of E&R Reminder -- No action requested.
- 10:25 B. Lee Cornett, D.A.N.A. Director  
Re: Sexual Assault Awareness and Prevention Month Proclamation  
Action Requested – Vote on the proclamation.
- 10:30 C. Lisa Osborne, Social Services Director  
Re: Income Maintenance Case Worker II open position. Grade 65 at a starting salary of \$29,660.79. Action Requested – Vote on filling the position.
- 10:40 D. Jim Brown, Recreation Director
1. Fairgrounds Board Request to use parking lot at County Administration Building during the Take a Break yard sale weekend.  
Action Requested – Vote on the request.
  2. Facility Use Application for Veterans Memorial Park, Duncan Recreation Center and Davis Field.  
Action Requested – Vote on the application.
- 11:00 E. Michael Day, Elections Director  
RE: Elections Annual Report. No action requested.
- 11:15 F. Travis Dalton, Planning Director
1. Edmonds Road Special Use Permit for Wireless Communication Tower. Action Requested – Vote on the permit.
  2. Piney Creek School Road Special Use Permit for Wireless Communication Tower. Action Requested – Vote on the permit.
  3. Wireless Communication Tower Ordinance Changes
- G. General Business
1. Roaring Gap Club contracts. Action Requested – Vote on the contracts.
  2. Roaring Gap Deputy open position. Grade 62 at a starting salary of \$25,622.61. Action Requested – Vote to fill the open position.
  3. Fiscal Year 2015/16 Budget Requests Summary

Basic summary of FY 2015/2016 budget requests will be presented.

- H. Public Comments—30 minutes
- I. Commissioners Comments
- J. Adjourn

Commissioner Irwin asked about one sentence in the minutes where a statement was made about the person was a deputy for the County for a number of years prior to going to Roaring Gap and shouldn't it had said a number of months.

County Attorney Donna Shumate asked if he had different proposed wording.

County Manager Don Adams read the sentence in the minutes including asking Commissioner Evans since it is his statement quoted in the minutes.

Commissioner Evans said when he made the comment he was in error because he was reading off the wrong line on a handout from the County Manager.

Clerk to the Board Karen Evans explained she will note this conversation in these minutes and add one line of clarification to the April 6 minutes about the County Manager provided clarification about this particular deputy was employed by the County for a number of months and the other Roaring Gap deputy was employed with the County for a number of years.

Rita Miller, Tax Administrator, presented the March auto releases.

Commissioner Leys made a motion to approve the March auto releases. Commissioner Davis seconded the motion. Vote 5:0.

Rita Miller presented the March auto refunds.

Commissioner Evans made a motion to approve the March auto refunds. Commissioner Leys seconded the motion. Vote 5:0.

Rita Miller presented the March auto refunds under the vehicle tax system (VTS).

Commissioner Irwin made a motion to approve the VTS March auto refunds. Commissioner Davis seconded the motion. Vote 5:0.

Rita Miller presented the March real property releases.

Commissioner Leys made a motion to approve the March real property releases. Commissioner Davis seconded the motion. Vote 5:0.

Rita Miller presented the March real property refunds.

Commissioner Leys made a motion to approve the March real property refunds. Commissioner Evans seconded the motion. Vote 5:0.

Rita Miller presented the March 2015 reports; collections' report, enforced collection report, payment agreement report.

Rita Miller presented a request for a release of solid waste fees for Marty Todd. She noted that the house is not complete and when the house is complete the solid waste fee will be added. She said that construction on the house started in 2009.

Commissioner Davis made a motion to approve the solid waste fee release. Commissioner Leys seconded the motion. Vote 5:0.

Rita Miller presented a motor-vehicle appeal for a 2009 Subaru Outlook. She reviewed the DMV value being appealed is \$14,635, and other values range from \$8,500 to \$13,903 with the Department of Revenue's value being \$10,585, which is her recommendation.

Commissioner Evans made a motion to accept the Tax Administrator's recommendation of \$10,585. Commissioner Davis seconded the motion. Vote 5:0.

Rita Miller reminded the Board about the Board of Equalization and Review training on May 5.

Chair Smith mentioned that Soil and Water has a meeting that night at 7:00pm. He asked the Board about changing the meeting time in order to attend the 7:00pm meeting.

Rita Miller explained she has a webinar that will be shown to the Commissioners and Mr. Eanes will be coming to discuss the equalization and review process.

Commissioner Leys made a motion to begin at 4:30pm for May 5 for the Board of Equalization and Review training. Commissioner Irwin seconded the motion. Vote 5:0.

Rita Miller explained that the Board of Equalization and Review hearings will be on May 12, 14, 15, for anyone who wants to appeal their taxes.

Rita Miller stated that the delinquent taxes ad is going into the paper this week.

Rita Miller talked about an item that she learned about during her conference last week about going through Auto Agent, which would assist with the releases during the month of August. She explained the process of using Auto Agent.

Lee Cornett, D.A.N.A. Director, came before the Board with a proclamation regarding the Sexual Assault Awareness and Prevention Month. She summarized the proclamation. She said if people see other people wearing teal ribbons it is to bring awareness. She provided the Commissioners a brochure with a teal ribbon. She presented Allegheny County's statistics for last year and this year to date. She said that our numbers are going up.

Commissioner Irwin asked if budget cuts would relate to the numbers going up. Lee Cornett said they haven't had budget cuts but she can't speak for Social Services. She discussed the number of staff members they have and their responsibilities.

Commissioner Leys asked what Mrs. Cornett attributes to this increase. Lee Cornett said that in the beginning of the increase she thought it was due to the economy but now she is seeing drugs being a reason. They discussed this is in every aspect of the population.

Lee Cornett explained the services they offer.

Commissioner Leys thanked Lee Cornett for her work. She explained that Mrs. Cornett has brought a lot of awareness to this area.

Commissioner Leys made a motion to approve the proclamation as presented. Commissioner Evans seconded the motion. Vote 5:0.

Lisa Osborne, Social Services Director, came before the Board asking to fill an open Income Maintenance position. She said that this is an existing position at a grade 65. She further stated that the request is to fill this position and any subsequent open positions that may result in filling this position.

Commissioner Irwin made a motion to approve the request. Commissioner Davis seconded the motion. Vote 5:0.

Commissioner Irwin talked about serving with Lisa Osborne on the Council on Aging Board.

Jim Brown, Recreation Director, said he is here to represent the Fairgrounds board to help them raise money for their budget. He stated that they are asking for permission to use the County Administration Building parking lot to sell spaces for a yard sale during the Take a Break from the Interstate weekend event in July.

County Manager Don Adams explained the policy for people using the parking lot is people come before the Commissioners to ask for permission and supply liability insurance to cover their event.

Commissioner Irwin and Jim Brown talked about they will not drive stakes, and they will have a bathroom available.

Commissioner Irwin, County Manager Don Adams and Jim Brown talked about the price for the slots.

Commissioner Evans and County Manager Don Adams talked about our potential liability and conversations with the Fairgrounds board about purchasing additional insurance.

Commissioner Leys and Jim Brown talked about the potential amount of money for the Fairgrounds.

County Manager Don Adams explained that he gets a lot of requests to use this parking lot, and he routinely turns people down. He further explained the difference in this idea is because it goes directly back into fixing the property at the Fairgrounds.

Commissioner Irwin and County Manager Don Adams talked about the County's insurance covers Allegheny County for liability issues. The County Manager stated that the insurance quote for the Fairgrounds is \$350, and provided other examples of people waiting to use the parking lot.

Jim Brown stated he is requesting permission, on behalf of the Fairgrounds, to use the parking lot and allow the event to use the County's liability policy for this.

County Manager Don Adams explained examples at the Fairgrounds where they require insurance.

Commissioner Leys and Jim Brown discussed they aren't doing this at the Fairgrounds because there are already events scheduled at the Fairgrounds during this time period.

Chair Smith restated the issues are to use the parking lot and waive the requirement for additional liability insurance.

Commissioner Leys and Jim Brown talked about having 40 spots and places for people to park.

The County Manager and Jim Brown talked about the Fairgrounds board will decide whether to continue with this event if the Commissioners require the liability insurance.

Chair Smith made a motion to approve the Fairgrounds board using the parking lot and have the additional liability insurance. Commissioner Evans seconded the motion. Vote 5:0.

Jim Brown said he will let the Fairgrounds board know.

Commissioner Irwin and Jim Brown talked about the amount of the additional insurance coverage.

Commissioner Evans said that \$350 is a small price to pay if something happens.

Jim Brown explained that he has been working on a facility use application for Veterans Memorial Park, Duncan Recreation Center and Davis Field. He further explained the form. He reviewed the Facility Rental Fees for these facilities.

County Manager Don Adams explained that these are open field spaces and we aren't requiring individuals to get additional insurance. He further explained this is first come, first serve for using it. He said that this is really to reserve the space. He stated that anything going through Recreation comes first. The County Manager and Jim Brown discussed that the Veteran Memorial Park fees for the schools, county sponsored events and veterans' organizations are waived. The County Manager reviewed the fees for each of the facilities.

Chair Smith said this is for three different facilities and asked how often this is used for Davis Field. Jim Brown explained that it doesn't happen often and how the reservations would work.

Commissioner Leys and Jim Brown discussed how to show that the area is reserved so people will know, and one group can only reserve one area at the Veterans Memorial Park. The County Manager explained their ideas about reservations at the facilities.

Commissioner Irwin and the County Manager talked about not wanting people putting tents up at Veterans Memorial Park because of the drainage. Jim Brown pointed out the liability to the children if stakes are left in the ground.

Jim Brown said he is asking the Board to approve the facility use application along with the fee schedule.

Commissioner Irwin made a motion to approve as written. Commissioner Leys seconded the motion. Vote 5:0.

Michael Day, Elections Director, presented the Elections' annual report. He reviewed information for the elections held in 2014 including they used student precinct workers and provided hands-on training for precinct workers. He talked about activities occurring in the office. He explained the precinct consolidation going from seven precincts to four. He talked about the new voting equipment required in 2018, and the State is looking at other vendors that would save a lot of money on the new equipment. He invited the Commissioners to attend a district meeting at the end of May in Boone about the new equipment. He talked about they are trying to simplify the precinct kits. He explained a bill in the General Assembly about the presidential preference election in the beginning of next year then there will be the normal primary and the general election. He said there is a possibility of a State election this November for a referendum for having a bond on roads and fixing State buildings. He said that PrintElect will be here this afternoon if the Board wants to see the mobile unit.

County Manager Don Adams and Michael Day talked about they will not have the new equipment.

Commissioner Evans and Michael Day talked about the new vendor is Democracy Live. Michael Day talked about the concept and we wouldn't have to buy anything from the vendor except the tabulator and the software because the tablets can be purchased anywhere.

Commissioner Irwin and Michael Day talked about Voter ID will start next year.

Commissioner Leys and Michael Day talked about the precinct consolidation and voting locations for the consolidation.

Commissioner Irwin and Michael Day talked about saving \$2,600 from other counties' equipment supplies.

Chair Smith and Michael Day talked about feedback from people on the precinct consolidation hasn't occurred. Michael Day explained the required notifications they will do. Michael Day further explained the number of people who voted and the number of people who worked the polls at those precincts during the last election.

Commissioner Leys and Michael Day discussed why they decided on having the election at the Prather Creek site. He explained issues they run into having the election at the Piney Creek precinct.

Chair Smith asked about the number of people without photo ID. Michael Day explained they only were aware of a couple of people and the State is offering free photo ID, and it isn't a big concern for Alleghany County. Michael Day said if people will not show a photo ID then they can't vote but can use a provisional ballot and the Board of Elections will decide whether to count that vote or not.

Commissioner Leys and Michael Day talked about the Board of Elections meetings are the first Wednesdays at 3:30pm.

Chair Smith declared a brief recess at 11:40am.

Travis Dalton, Planner, explained the two documents that was just provided to the Commissioners are updated applications for the towers. He presented a special-use permit for a wireless telecommunication facility called Edmonds Road tower, which is near 13188 Highway 18 North for a 125-foot monopole. He said this tower has already received a conditional-use permit by the Planning Board.

Frankie Jones with the Smith Moore Leatherwood law firm introduced the people in the audience regarding the two tower applications; Jerry Muldowney, Mike Tuttle, Edmonds tower property owners, and Donny Bell. He talked about the importance of towers today regarding data transmission. He said that there are more cellphone lines than landlines. He noted that some people at the Planning Board meeting had questions but they were able to answer everything and did not face opposition. He talked about Federal laws regarding wireless communication towers. He referred to the County's Wireless Tower Ordinance and the requirements for applying for a tower permit. He provided the Commissioners a handout of coverage maps showing the current level of service and the proposed level of service with the new tower, which shows the need to provide this additional coverage. He explained the coverage maps.

Commissioner Leys asked if he has anything that shows acreage coverage. Frankie Jones stated no he doesn't have anything that shows that.

County Manager Don Adams asked the Planner if this complies with the Wireless Tower Ordinance. Travis Dalton said yes. The County Manager asked about different areas of the Ordinance. Travis Dalton agreed that this tower meets all of the standards.

Frankie Jones added that the coverage there now is on a 30-foot tower, which isn't enough for Carolina West.

Commissioner Leys and Frankie Jones talked about collocation and this tower is being marketed as a collocation tower with four functional locations. She asked about the tree line.

Gerald Muldowney talked about this site has been designed for collocation so they will have the ability to locate four others, and APC Towers will market this tower. He explained the canopy level for four others. He noted that if the Commissioners make a motion to approve this, the color in the application says sandy brown, which should have been tea chest, and the Board can add a condition that the tower be painted tea chest.

Commissioner Leys said the Glade Valley tower has went up, and it is brown.

Travis Dalton explained if the Board approves the application then a condition needs to be made for the color to be tea chest.

Chair Smith asked if the property owners are satisfied. They answered yes.

Commissioner Leys asked where the closest 125-foot tower is. Travis Dalton said he doesn't know, and explained at their last meeting the closest is the new one at Salmon Lane.

Commissioner Leys made a motion to approve the tower near 13188 Highway 18 North with the color tea chest. Commissioner Evans seconded the motion. Vote 5:0.

Travis Dalton presented a special-use permit for a wireless telecommunication facility near 1402 Piney Creek School Road for a 116 foot tower, which was recently updated from an 80 foot tower.

County Manager Don Adams asked about the tower being in the view shed of the New River. Travis Dalton answered yes. The County Manager and Travis Dalton talked about the Planning Board did not put any conditions on this tower. They talked about options for stealth technology must be used because it is in the view shed. The County Manager summarized

the issues before the Board; application for a tower in the view shed of the New River, changes in the application from an 80 foot tower to a 116 tower, stealth technology and collocation.

Frankie Jones provided papers to the Commissioners showing the coverage areas. He showed the Board the letter from the Blue Ridge Parkway showing the tower does not impact the Parkway. He reviewed the packet of papers including pictures showing the tower's location in relation to the river. He showed the Board where the tower is on the map.

Chair Smith read a portion of the view shed language in the Ordinance. Frankie Jones explained how he reads the Ordinance including the use of camouflage or stealth technology. Frankie Jones further explained that this would be a closed-mounted tower and provided papers to the Board to show the difference between the two tower design types.

The Board viewed the maps showing the towers.

Commissioner Irwin mentioned that the tower isn't much taller than the houses there.

Gerald Muldowney talked about the wooden tower that is there now, they are looking to replace it, and the tower isn't much taller than houses. He talked about it is in the view shed of the New River so it adds additional requirements. He further talked about using stealth and explained what stealth is. He gave examples of stealth technology and camouflage. He said they used a crane to display the height and how they calculated the height above the canopy. He explained the purpose of the 116 feet. He reviewed the ways they are doing stealth technology including using the closed-mounted tower. He talked about the difference between this tower type and a monopole. He talked about the proposal of 116 feet.

Commissioner Leys and Gerald Muldowney talked about there will be four collocations sites.

County Manager Don Adams and Gerald Muldowney talked about same tower types.

Chair Smith and Gerald Muldowney talked about coverage is less with this tower type, and Carolina West approved this.

Commissioner Leys said it is hard to look at the coverage map to know how much the coverage will increase. Gerald Muldowney showed her on the coverage maps the difference in coverages.

Commissioner Irwin made a motion to approve the Piney Creek School Road tower with the tea chest color and stealth measures that have been discussed. Commissioner Evans seconded the motion. Vote 5:0.

Commissioner Irwin and Travis Dalton talked about houses built in the view shed and the requirements to build on major mountain ridges.

Travis Dalton said the Wireless Tower Ordinance has the changes discussed at the last Commissioners' meeting. He started to review the changes; application fee changed to \$2,000, height changed to 195 feet, collocation language, local government access, temporary wireless communication facility, existing communication tower language. He presented a change to Article 8, A.5. to match the tower height of 195 feet.

County Manager Don Adams explained it will be two separate votes; vote to accept all of the changes voted on April 6, 2015 and then approve the change to Article 8, A.5.

County Manager Don Adams pointed out page 7 and the language regarding the adoption and enforcement of the Ordinance.

Chair Smith asked has the Planning Board had an opportunity to discuss Article 8, A.5. Travis Dalton said this is just to make it say the same thing regarding the tower height of 195.

Commissioner Evans made a motion to approve Article 8, A.5. as written in the proposed ordinance. Commissioner Davis seconded the motion. Vote 5:0.

Commissioner Leys made a motion to accept all of the changes as voted on April 6, 2015. Commissioner Davis seconded the motion. Vote 5:0.

County Manager Don Adams presented two contracts regarding Roaring Gap Club. He reviewed the first contract concerning Ted Smith, a deputy who has retired, with Roaring Gap Club agreeing to pay 100% of his healthcare benefit and law enforcement retirement benefit for 6 years then will be 75% of those costs until he reaches the age of 65. He reviewed the second contract concerning deputy sheriffs serving Roaring Gap Club; Roaring Gap Club agreeing to pay 100% of the operational costs associated with two deputies, Alleghany County and Roaring Gap Club shall divide the retirement benefit costs based on the pro-rata years of service the deputy has with each entity, Roaring Gap Club will not be required to pay for any retirement benefits after the deputy reaches age 65. He said that the Roaring Gap board is meeting the end of this month, and if everyone is in agreement then we will be looking to fill the open position the first of May.

Commissioner Davis made a motion to approve the contract with Roaring Gap Club regarding Ted Smith. Commissioner Leys seconded the motion. Vote 4:1 (Bobby Irwin).

Commissioner Irwin asked about the operational agreements referred to in the second contract. County Attorney Donna Shumate said we don't have them yet. County Manager Don Adams explained that he views this as a financial arrangement that can be terminated at anytime with a 6-month notice. The County Manager talked about if the majority of this Board doesn't like how the Sheriff and Roaring Gap is handling things then the Board can give notice and terminate the contract and remove those positions. The County Manager explained that the Sheriff is responsible for those deputies and the Sheriff will have a working agreement with Roaring Gap.

Commissioner Irwin asked about new technology coming along then Roaring Gap would be responsible for paying for it. County Manager Don Adams said yes because the contract says 100% of the operational costs. Commissioner Irwin and County Manager Don Adams discussed the reimbursement stops at age 65, which is just healthcare after that.

Commissioner Evans asked about the vehicle insurance coverage that wasn't included in the past but is now. County Manager Don Adams said that's correct, it's in there now.

Commissioner Davis made a motion to adopt the contract as written. Commissioner Leys seconded the motion. Vote 5:0.

County Manager Don Adams asked about voting on the request to fill the open position of a Roaring Gap Deputy and any subsequent vacancies that come from filling this position.

Commissioner Evans made a motion to approve this request. Commissioner Davis seconded the motion. Vote 5:0.

Chair Smith thanked Steve Plummer for being part of this.

County Manager Don Adams reviewed the budget schedule about the budgets were due last Wednesday. He further reviewed the budget schedule for the remaining dates. He asked the Board to schedule the initial meetings in June. He talked about at his meetings with department heads and special appropriations he will let them know when the Commissioners are meeting. He said that the month of June is the time for the Commissioners to meet to discuss the budget. He discussed having the meetings on June 2, 3, 4.

The Board discussed dates/times for the initial meetings. They decided on June 2 and 3 at 9:00am to 6:00pm.

Chair Smith asked about scheduling additional budget meetings and a public hearing. He asked about having the public hearing on June 29. The County Manager asked about having it a week sooner on June 22 to give staff time to prepare changes that may occur. The Board discussed dates/times for the public hearing. They decided on June 24 at 6:30pm.



Chair Smith asked about scheduling other budget dates. The Board discussed dates for additional meetings. They decided on June 15 1:00pm-4:00pm, June 17 at 6:30pm, June 18 at 6:30pm and June 19 at 6:30pm.

County Manager Don Adams presented the fiscal year 2015/16 budget summary for the General Fund in the amount of \$16,839,295. He pointed out the School current expense and School capital expense. He reviewed the special appropriations in the amount of \$2,360,002. He mentioned the new requests in special appropriations: Arts Guild \$10,000; Chamber of Commerce \$15,000; voting machines saving of \$35,000; drug and alcohol program costs of \$5,400 in order to appropriately run the program and for making it county-wide; emergency services communication in the amount of \$99,552 for which \$70,000 of that is for a comprehensive plan and next April will be looking for grants and funds to move a repeater to another tower site. He presented the summary of requested salary increases and new positions, and capital requests.

Commissioner Irwin asked about the no-till drill that is rented out and the money comes back to the county. The County Manager agreed and explained that more research is being done on that to get the price lower. Commissioner Irwin said the machine needs to be kept inside not outside. The County Manager explained in the winter we should be able to take it out to the barn and when it is in the useable season it is difficult to get it into those areas because of the other vehicles, and having space issues there.

Chair Smith encouraged the Commissioners to have conversations with the County Manager or department heads about the budget.

Chair Smith opened the floor for public comments.

County Attorney Donna Shumate left the meeting at 1:30pm.

Ginger Collins gave the Commissioners a brief update about the grassroots projects through the Arts Guild. She provided brochures to the Commissioners about an upcoming program. She asked the Board for their support.

Chair Smith and Ginger Collins talked about the activities that Libby Bagby will be doing this week in the schools.

Wayne Miles thanked the Board for their work. He talked about the costs of getting a commercial permit to replace a heater. He explained that the County would be better off to pro-rate the fees then more people might come in to the permits. He further explained the minimum permit fee is \$250, and his repair work was \$100.

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

Chair Smith pointed out the sign for the Veterans Memorial Park. He stated his appreciation to the County Manager for his efforts on this.

Commissioner Leys talked about tomorrow Commissioner Irwin and herself will be attending a stakeholders' meeting for mental health. She said that she attended NCACC's meeting last week and made some good contacts.

Commissioner Evans pointed out a couple of weeks ago he went with the County Manager and Commissioner Leys to a regional meeting, and it is a struggle to make ends meet everywhere. He said he appreciates what we have and the people who volunteer their time.

Being no further business, Commissioner Leys made a motion to adjourn at 1:40pm. Commissioner Irwin seconded the motion. Vote 5:0.

Respectfully submitted,

Attest:

Karen Evans, Clerk to the Board

Tom Smith, Chair