

The Alleghany County Board of Commissioners met in regular session on Monday, June 7, 2010, at 6:30pm in the Board Meeting Room of the County Administration Building, 348 South Main Street, Sparta, North Carolina.

Present: Chair Ken Richardson, Vice-Chair Randy Miller, Commissioner Doug Murphy, Commissioner Milly Richardson, County Attorney Donna Shumate, County Manager Don Adams and Clerk to the Board Karen Evans. Commissioner Steve Roten was present but arrived late.

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 the rescue squad request needs to be removed.

Commissioner Doug Murphy made a motion to approve the amended agenda for this June 7, 2010, meeting. Commissioner Milly Richardson seconded the motion. Vote 4:0.

AGENDA
Monday, June 7, 2010
6:30 PM

- 6:30 Meeting Called To Order, Pledge of Allegiance and Prayer
 - Motion on Agenda for June 7, 2010, meeting
 - Motion on Minutes for May 12, May 17, and June 1, 2010, meetings
- 6:35 A. Public Comments—30 minutes
- B. Public Hearing
 - RE: Explosive Materials Ordinance
- C. County Business
 - 1. Reschedule July 5 Meeting
 - 2. Rescue Squad Request (deleted)
 - 3. Planning Board Request
 - 4. QSCB Water/Sewer—Engineering Contract
 - 5. Scattered Site/High Country COG Agreement
 - 6. Budget Amendment—Sheriff's Department
 - 7. Budget Amendment—Salary Grade Changes
 - 8. Budget Amendment—2nd Primary
 - 9. Elections Budget
 - 10. Records Retention Schedule—Register of Deeds
 - 11. Budget Discussions/Schedule Public Hearing Date
 - 12. Other Business
 - 13. Adjourn

Commissioner Milly Richardson made a motion to approve the minutes from the May 12, May 17 and June 1, 2010, meetings. Commissioner Doug Murphy seconded the motion. Vote 4:0.

Chair Ken Richardson asked for public comments.

Chris Huysman read a letter regarding his opinion about the budget including information about the unemployment rate, foreclosures, elderly population and poverty level, and it is unjust to propose any tax or fee increase and the only prudent measure is a minimum of a 10% cut to the budget. He stated that in his opinion there should be a 10% reduction in spending.

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

County Manager Don Adams explained the explosive materials ordinance. He reviewed the highlights of the changes dealing with new State law regarding aerial fireworks requiring a permit and a permit fee of \$50.

Commissioner Steve Roten arrived at 6:38pm.

County Manager Don Adams further explained that the fire inspector will have to visit the site at least two times, maybe three times.

Chair Ken Richardson asked the Board about the fee of \$50.

County Manager Don Adams continued explaining the purpose of the fee and the number of trips the fire inspector has to visit the site.

Chair Ken Richardson and County Manager Don Adams talked about this is bringing the ordinance up to State law.

Commissioner Doug Murphy asked if the Board wants to discuss the fee. No one spoke.

Chair Ken Richardson opened the public hearing at 6:40pm regarding the explosive materials ordinance. He asked for public comments. None were received. He closed the public hearing at 6:41pm and reconvened the regular meeting.

Commissioner Steve Roten made a motion to approve the ordinance. Commissioner Doug Murphy seconded the motion. Vote 5:0.

County Manager Don Adams asked if the Commissioners want to reschedule the July 5 meeting due to the July 4 holiday.

Commissioner Randy Miller made a motion to move the meeting to Tuesday, July 6. Commissioner Steve Roten seconded the motion. Vote 5:0.

County Manager Don Adams presented a proposed letter for NCDOT from the Planning Board and Board of Commissioners regarding site distance. He summarized the letter about driveway entrance permits, site distance and enforcing the rule equally.

Commissioner Doug Murphy stated that he proposes a second letter to be sent by the Commissioners.

County Manager Don Adams said he will have the Karen Evans write the letter and let the Commissioners know when it is ready.

County Manager Don Adams presented the proposed engineering contract for the water/sewer at Glade Creek School exactly as the USDA grant/loan has been written with actual costs of \$47,300 and inspections that occur during the project of \$21,600. He reminded the Board that the contract and fees are monitored and regulated by USDA.

County Manager Don Adams informed the Board that he just received notification on this project from the pre-application review that the water/sewer is eligible for funding, next step is submitting a full application which has been accomplished, and they are agreeable to look at the entire \$800,000 for a grant/loan. He reminded the Board that up to 35% of the \$800,000 can be a grant and the remaining amount would be a loan. He explained that what is in the budget is the payment for the remaining amount loaned out over a period of 40 years. He further explained that this has been in the hands of USDA since January. He provided an update on the project including all of the test pits are finished, soil scientist has laid out the line, soil scientist had completed the report, surveyors are surveying the line, then final application can be submitted and once approval is received then the schools can proceed.

Commissioner Doug Murphy thanked the County Manager for staying on this.

County Manager Don Adams informed the Board that he received an email from Sandy Lawrence with USDA stating that USDA has approved the bid specs and released the County to go out to bid. He stated that he has asked the engineer to draw up the timeline, which USDA must approve, and then the project will be advertised.

County Manager Don Adams presented an amendment with High Country Council of Governments for the 2007 Scattered Site Housing Program rehabilitation services contract to be extended through July 31, 2010.

Commissioner Randy Miller made a motion to approve the amendment. Commissioner Doug Murphy seconded the motion. Vote 5:0.

County Manager Don Adams provided an update on the upcoming Scattered Site grant including the current timeline of mandatory workshops in July, application due in November and funding being released in spring 2011. He explained that these dates are subject to change.

County Manager Don Adams presented budget amendment General Fund #38 in the amount of \$7,620 for insurance proceeds where a town policeman hit a deputy's vehicle. He explained that our insurance company paid for our repairs and will recoup the money from the Town's insurance company.

Commissioner Milly Richardson made a motion to approve budget amendment General Fund #38 in the amount of \$7,620. Commissioner Steve Roten seconded the motion. Vote 5:0.

County Manager Don Adams presented a series of budget amendments regarding the Board's recent job reclassifications; budget amendment E9111 Fund #5 in the amount of \$170, budget amendment General Fund #39 in the amount of \$95 for emergency management, budget amendment General Fund #40 in the amount of \$110 for building inspections, budget amendment General Fund #41 in the amount of \$405 for EMS, budget amendment General Fund #42 in the amount of \$180 for finance, budget amendment General Fund #43 in the amount of \$170 for mapping, budget amendment General Fund #44 in the amount of \$267 for planning, budget amendment General Fund #45 in the amount of \$569 for recreation, budget amendment General Fund #46 in the amount of \$294 for soil and water, budget amendment General Fund #47 in the amount of \$493 for administration.

Commissioner Doug Murphy made a motion to approve budget amendment E9111 Fund #5 in the amount of \$170, budget amendment General Fund #39 in the amount of \$95 for emergency management, budget amendment General Fund #40 in the amount of \$110 for building inspections, budget amendment General Fund #41 in the amount of \$405 for EMS, budget amendment General Fund #42 in the amount of \$180 for finance, budget amendment General Fund #43 in the amount of \$170 for mapping, budget amendment General Fund #44 in the amount of \$267 for planning, budget amendment General Fund #45 in the amount of \$569 for recreation, budget amendment General Fund #46 in the amount of \$294 for soil and water, budget amendment General Fund #47 in the amount of \$493 for administration. Commissioner Randy Miller seconded the motion. Vote 3:2 (Milly Richardson, Steve Roten)

County Manager Don Adams presented budget amendment General Fund #48 in the amount of \$7,006 for the 2nd primary election. He reviewed the costs of the election.

Commissioner Doug Murphy made a motion to approve budget amendment General Fund #48 in the amount of \$7,006. Commissioner Randy Miller seconded the motion. Vote 5:0.

County Manager Don Adams stated that the next topic is on the agenda at the request of a Board member regarding the elections budget requests about salary changes for the elections staff.

Commissioner Doug Murphy stated that he asked that this be put back on the agenda since information was provided right before the last meeting, and he didn't have time to review it.

Commissioner Steve Roten stated that he can't support this because the County doesn't have the money to pay for it and doesn't see how the County has the money to

pay for any of the salary changes.

Commissioner Doug Murphy stated that he isn't in favor of raising taxes.

Chair Ken Richardson explained that the County Manager and Kate Cosner did discuss this, following along prior actions and giving them the same opportunity to be considered in salary adjustments as the others.

Commissioner Randy Miller talked about the pay grade changes; three for one employee and four for the other employee. He further talked about others have been two-grade changes. He explained that the Board is talking about merit and doesn't see a problem with a two-grade increase for each employee.

Commissioner Randy Miller made a motion to grant the request at a two-grade increase for each employee. Chair Ken Richardson seconded the motion. Vote 2:3 (Milly Richardson, Steve Roten, and Doug Murphy)

Commissioner Doug Murphy made a motion to approve a one-grade increase for each employee. Chair Ken Richardson seconded the motion. Vote 3:2 (Milly Richardson, Steve Roten)

County Manager Don Adams presented the proposed records retention schedule amendment for the Register of Deeds.

Commissioner Doug Murphy made a motion to approve the amendment. Commissioner Randy Miller seconded the motion. Vote 5:0.

County Manager Don Adams talked about scheduling the budget public hearing and the timeframe for the advertisement.

The Board discussed dates/times for the public hearing and decided on June 28 at 6:30pm.

Commissioner Milly Richardson said the budget was a great disappointment, insult to taxpayers and did not reflect the opinions of all of the Commissioners. She said she doesn't know who opinions are in the budget or who assisted in the direction of the budget. She stated that she would like to request a revised budget without the 4¢ tax increase and the opinions of all of the Commissioners taken into consideration.

Chair Ken Richardson said that one thing that was discussed was scheduling a series of budget workshops where the Board can work on the budget. He further said the budget was presented by the County Manager without any direction or input by any of the Commissioners and once that budget is submitted, it is the responsibility of the Board to make it reflect what the Commissioners want, and he doesn't know how to accomplish that without the workshops where all five Commissioners are working on the budget.

Commissioner Randy Miller explained that he hasn't said a word to the County Manager regarding this budget and didn't request anything.

Commissioner Doug Murphy stated he did not go to the County Manager to direct the budget to proceed in any fashion. He explained that the County Manager has put together a budget, and now it is up to the Board. He said he sat down this weekend and eliminated \$300,000 from the budget but still has work to do. He said he will look at whatever is provided. He reiterated that he is not in favor of taxes. He asked the other Commissioners to look at the budget and make the budget whatever each one wants. He said when he took this job he knew the Commissioners would not be in agreement all of the time. He said the budget was given to him, as a Commissioner, and it is his job to make the budget the way he thinks is best. He further said if the majority of the Board wants the County Manager to redo the budget; that's fine, but he has the budget that the County Manager provided.

Commissioner Steve Roten stated that he talked to the County Manager numerous times; the County Manager knows how he feels about tax increases plus to

stop using the fund balance and stop putting it off on another board in the future.

Commissioner Steve Roten explained that he has a problem as a taxpayer of Commissioners getting medical insurance paid for and a policy of serving for 20 years then the insurance is paid for life. He reiterated that this bothers him. He made a motion to discontinue that.

Commissioner Doug Murphy asked if his motion would include allowing the Commissioners to pay for it.

Commissioner Steve Roten said that is fine. He explained that he thought the insurance was offered to Commissioners but they had to pay for it, and he didn't know the County was paying for it.

Commissioner Steve Roten made a motion to discontinue that and the policy that was done in 1996 and amend the motion to allow Commissioners to pay for their insurance. He said this is too big of a burden on the taxpayers.

County Attorney Donna Shumate explained that if anyone is already vested, she isn't sure the Board can take that away legally. She said she would like the opportunity to see if anyone is vested.

Commissioner Steve Roten said he doesn't know about that but doesn't know why this Board can't undo something another Board has done.

Commissioner Doug Murphy and County Attorney Donna Shumate talked about she wants an opportunity to research the vested issue.

Commissioner Milly Richardson talked about corporations can change vested benefits.

Commissioner Steve Roten and County Attorney Donna Shumate talked about these are legal issues regarding vested rights that would have to be decided by the courts.

Commissioner Steve Roten restated his motion to discontinue paying the insurance for anybody other than full-time employees next month.

Commissioner Doug Murphy asked about allowing the members to pay for it. He said if that is part of the motion, he will second it.

Commissioner Steve Roten agreed to allow the members to pay for it.

The Board voted on the motion on the floor. Vote 4:1. (Ken Richardson).

Chair Ken Richardson talked about meeting Wednesday night or Thursday night to begin talking about the budget. He asked each member to bring a list of items to the next budget meeting for discussion by the Board. He said he personally thinks it is unfair to ask the County Manager to do another budget. He reminded everyone that the Board has from now until June 28 to have the budget and already has seven or eight departments wanting to talk to the Board.

Commissioner Milly Richardson asked are we to assume that no one spoke to the County Manager, and he came up with the 4¢ tax increase budget by himself.

Chair Ken Richardson answered assume what you want but hearing from the other Commissioners that decision was not laid upon the County Manager at any time because he put together a budget that he thinks is best and what is needed for the County.

Commissioner Milly Richardson asked "County" being defined as what.

Chair Ken Richardson stated that he isn't getting into a definition discussion but he defines the "County" as all of Alleghany County.

Commissioner Milly Richardson stated that “County” should be all of the people, people that we employ and ones that pay taxes. She explained that it is hard for her to see a 4¢ tax increase being good for all of the “County.”

Chair Ken Richardson reiterated that is why we, as a Board, have the challenge to come up with the budget and at least having three to agree on a version of the budget. He asked does the Board have any problems starting the budget process Wednesday night or Thursday night.

Commissioner Steve Roten asked how many meetings are we looking at.

Chair Ken Richardson answered he doesn't know.

Commissioner Steve Roten asked can the Board start next week.

Chair Ken Richardson mentioned the time factor involved.

Commissioner Steve Roten asked for the meetings to begin next week.

Chair Ken Richardson talked about starting the budget meetings next Monday at 6:30pm and holding the public hearing on June 28 at 6:30pm. He reminded the Board that there needs to be time allowed for the departments to come before the Board.

Commissioner Doug Murphy proposed the same travel restrictions that apply to employees apply to the Commissioners, as well. He said that if the Board sets budget restrictions on the employees, the restrictions should also apply to the Board. He further said he just wants to clarify this.

Commissioner Doug Murphy made a motion that the same travel restrictions that apply to the employees also apply to the Commissioners. Commissioner Steve Roten seconded the motion. Vote 5:0.

Commissioner Doug Murphy talked about an elective procedure discussed during the previous insurance/budget meeting and making sure the procedure will be covered in emergency situations.

Commissioner Doug Murphy made a motion for the elective procedure in question be removed. Commissioner Randy Miller seconded the motion. Vote 5:0.

Commissioner Steve Roten stated that he attended the RTAC meeting in Boone, and this was his first time on the board. He further stated that he has all of the information showing how US 21 is ranked if anyone wants to see it and how they are working to get roads on the lists. He reviewed the roads in Allegheny County.

Commissioner Steve Roten stated that he attended the CJPP meeting on March 2, and one thing that was discussed was that the Commissioners had to rush to get the contract approved so they are going to try to get the contract to the Commissioners in the fall and maybe look at a 2-year or 4-year contract.

Being no further business, Commissioner Steve Roten made a motion to adjourn at 7:23pm. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Respectfully submitted,

Karen Evans
Clerk to the Board

Attest:

Ken Richardson
Chairman