

The Alleghany County Board of Commissioners met in regular session on Monday, August 6, 2012, 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 Tom Smith, Commissioner Larry Cox, Commissioner John Goudreau, Commissioner Steve Roten, County Attorney Donna Shumate, County Manager Don Adams, and Clerk to the Board Karen Evans.

Chair Richardson called the meeting to order, welcomed everyone, led the Pledge of Allegiance and a silent prayer.

Chair Richardson stated that Commissioner Goudreau has requested his topic be on a future agenda.

Commissioner Cox made a motion to approve the amended agenda for this August 6, 2012, meeting. Commissioner Smith seconded the motion. Vote 5:0.

AGENDA
Monday, August 6, 2012
6:30 PM

- 6:30 Meeting Called To Order, Pledge of Allegiance and Silent Prayer
Motion on Agenda for August 6, 2012, meeting
Motion on Minutes for June 14, June 18, June 20, June 26, June 28, 2012, budget meetings, July 2, 2012, regular meeting, July 30, 2012, special meeting, July 30, 2012, joint meeting
- 6:35 A. Public Comments—30 minutes
B. Public Hearing
RE: E-911 Road Name
C. April Hamm
RE: Vacant Driver Position
Asset Works
D. John Blevins
RE: Vacant Social Worker IAT Position
E. General Business
1. Labor Day Meeting
2. NCACC Annual Conference Delegate
3. NCACC Legislative Goals
4. Northwestern Regional Library Board Appointment and Contract Discussions
5. NC Cooperative Extension Service—NC Legislature Bonus Leave Provision
6. Transfer Facility Loader
7. Piney Creek School Septic Project—Appalachian Regional Commission Application Process
F. Commissioners Business
1. Recognition of Leo Tompkins—Commissioner Goudreau (deleted)
G. Closed Session—NCGS 143-318.11 (a) (6)—personnel
H. Adjourn

Commissioner Roten made a motion to approve the minutes for the June 14, June 18, June 20, June 26, June 28, 2012, budget meetings, July 2, 2012, regular meeting, July 30, 2012, special meeting, July 30, 2012, joint meeting. Commissioner Cox seconded the motion. Vote 5:0.

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

Dennis Smith talked about studying the United Nations (UN) and learning what it is about. He used examples of selling food for sex and places that this occurs. He talked about the reputation of the UN has been shredded. He further talked about the July 2 meeting where Commissioner Goudreau made a motion about UN Agenda 21, which Commissioner Roten seconded the motion, then immediately Chair Richardson spoke up that he couldn't support the motion but didn't say why. He explained that Commissioner Cox and Commissioner Smith talked about their comments regarding the motion. He talked about the opposition to the UN 21. He explained that during the past month there have been talks about a small arms treaty, which will be the last piece. He talked about an article in Forbes. He explained that the treaty was supposed to be signed a week ago Friday. He further explained that the plug was pulled until after the November election. He said that if the UN with their ceremonial accomplices have their way, Alleghany County businesses will be out of business and Alleghany County citizens will have to give up their guns. He said that he is asking the Board to oppose this treaty and oppose the corrupt anti-America UN, fight with words while you still can, resolve the UN as a threat to the US constitution and the citizens of Alleghany County, ask that you write a letter to oppose the UN and to support the US constitution at whatever costs. He talked about two Commissioners have supported the United Nations

over the US constitution and the people of Alleghany County, the possibility of Alleghany County residents losing their lives because of the actions of the United Nations. He asked the Commissioners to reconsider the resolution opposing UN Agenda 21 and to support the US constitution. He read a prayer offered in the US Senate.

Brandon Hawks explained that he wants to talk about freedom of speech. He said that a lot of people will manipulate that kind of speech because it doesn't fit that kind of an agenda. He further said as an individual he is fed up with the nonsense that he has to put up with. He stated to tell him why a group or organization has to be registered on a piece of paper to comply with the county or whomever. He said the last time he checked we are free people. He asked since that is the case, shouldn't we be allowed the freedom of association without being a target. He explained he tried to run a local candidate forum but that cannot be done. He further explained that he wanted it on public TV but it had to be run thru kids vote for that to occur, which just means more paperwork. He said he would have paid up front to have it recorded and put on the public TV, which wasn't good enough. He quoted Samuel Adams. He said that he thought public TV was that, public. He stated that he had invited everyone. He provided a history of freedom of speech and what it means. He said that he has been asked by his political action group to form a non-profit, and he doesn't want to. He talked about many people fear that since they are not registered or complete the paperwork, they don't want to do anything because they fear big government will come down to do them harm. He said that this is wrong, and that citizens shouldn't fear to express their first amendment rights. He further said that this is disguising. He stated that there seems to be a few corrupt individuals who want to rig the system. He further stated that he may not agree with what you have to say but he will fight for your right to say it. He talked about those who run and hide from freedom of speech because they show their political ideology. He said if people don't want to tell the public where you stand, what's your opinion; you don't need to be running. He talked about government should be to protect the citizens interest against other protruding forces because if government doesn't, it just leaves the people to do it on their own.

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

Wendy Williams, E-911 Coordinator/Mapper, presented one road name for the Board's approval; Crows Nest Way. She explained the location of the road.

Chair Richardson opened the public hearing regarding the 911 road name at 6:45pm and asked for public comments. None were received. He closed the public hearing at 6:46pm and reconvened the regular meeting.

Commissioner Cox made a motion to approve the road name as presented by the E-911 Coordinator/Mapper. Commissioner Goudreau seconded the motion.

Commissioner Roten and Wendy Williams talked about everyone on the road is in agreement.

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

April Hamm, Transportation Director, explained that she has a position vacancy. She further explained that the former employee gave notice on July 12 and left on July 27. She stated that this is a pay grade 54b. She further stated that this position is a full-time driver position, and she is requesting to fill the position.

Commissioner Cox made a motion to approve the request. Commissioner Smith seconded the motion.

Commissioner Smith and April Hamm talked about there are three full-time driver positions.

Commissioner Cox and April Hamm talked about the employee left for a better position.

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

April Hamm explained that the County has the official final answer from the State regarding the requirement to use the asset works software program. She further explained that she received a letter from the State and read a portion of the letter. She explained that NCDOT/PTD will continue funding the asset works costs. She talked about the State is requiring each county to use the asset works program, which Alleghany County is doing.

Commissioner Smith and April Hamm talked about if they didn't have the social worker doing Medicaid transportation it would be hard. She explained that it is cumbersome, and it does take quite a bit of time to do it.

County Manager Don Adams asked about the video cameras. April Hamm said yes we are on the list to get the cameras, and it should be during this budget year. County Manager Don Adams explained the importance of the camera recordings.

John Blevins, DSS Director, explained that he has had a social worker that has resigned and already left. He talked about the position is already budgeted. He explained that this position protects the children in the county, very important/very technical position, and unit has three positions. He talked about the child fatality review about a year that said DSS is understaffed. He further talked about how they need this position. He explained that the request is for the Board to allow him to fill the vacancy.

Commissioner Cox made a motion to approve the request. Commissioner Smith seconded the motion.

Commissioner Smith and John Blevins talked about the duties of the position, including they have a lot of documentation when removing a child from the home. John Blevins explained the social worker has to visit the home and has to make a decision right then, explained they work with the child/family to make the home safe again and if that isn't possible then they have to document why it isn't, they have to go to court, must have a plan in process, work with the foster families, they cover on call so there is coverage 24 hours a day, have to find a place to put the child, this was an employee who had 12 years of county service, the job is stressful, and it's hard.

Commissioner Smith asked John Blevins if he has any statistics on how successful that program has been. John Blevins answered yes he does and explained that the program has grown to 325 children, the unit has been more effective, this person's dictation was caught up, social workers have a hard time getting all of their work done because of the nature of the job.

Commissioner Cox talked about this was a 12 year employee and asked would the new person be making less. John Blevins answered probably and explained the process of advertising for the IAT position and more times than not we hire at a lower rate because no one meets the qualifications. John Blevins explained the levels of social workers and reiterated the chances of hiring at that level are slim.

County Manager Don Adams and John Blevins talked about there isn't any current staff interested in this position.

The Board voted on the motion on the floor. Vote 4:1. (John Goudreau)

County Manager Don Adams talked about the first meeting in September is on a holiday.

The Board talked about dates/times for the meeting. They agreed on September 10.

County Manager Don Adams presented the designation form for the voting delegate to the NCACC annual conference on August 16-19.

Chair Richardson said he has registered to attend.

Commissioner Roten asked is anyone else attending.

Commissioner Cox shook his head.

Commissioner Roten made a motion to appoint Ken Richardson as the voting delegate to the NCACC annual conference. Commissioner Smith seconded the motion. Vote 5:0.

County Manager Don Adams presented a memo from the NCACC about their solicitation of county legislative goals' proposals. He talked about putting it on the upcoming agendas for further discussions.

Chair Richardson talked about the importance of the NCACC legislative goals, and the Association is one of the largest lobbyist groups in Raleigh. He explained that if any Commissioner has a topic to go before the General Assembly; this is the best way to do it. He urged the Board to take this request seriously and submit those topics to NCACC.

County Manager Don Adams presented a letter from the Northwestern Regional Library. He read the letter that the Alleghany County Public Library Board has nominated Brant Banks as a replacement for Sandy Herndon on the Northwestern Regional Library Board.

Commissioner Smith made a motion to appoint Brant Banks on the Northwestern Regional Library Board. Commissioner Cox seconded the motion. Vote 5:0.

County Manager Don Adams presented the Northwestern Regional Library contract. He explained that this is a 160A agreement, and this is how it is currently operating. He further explained some of the

changes including the Board of Commissioners may remove and replace any member on the library board for any reason; nothing in the agreement shall obligate a county to pay any funds to the regional library beyond what is deemed appropriate by the county. He read the paragraph about the liabilities where the counties are not liable or responsible for any of the Library's debts, liabilities or obligations. He talked about counties are spending time to make sure counties are not responsible for the regional system. He explained that the Board doesn't have to make a decision today but needs feedback soon.

County Attorney Donna Shumate said that she had reviewed the original version and the updates, which only strengthening the County's stance.

Chair Richardson and County Manager Don Adams talked about just getting feedback not voting on the contract until every county has provided feedback. The County Manager stated that this is a requirement of the State and reviewed the next steps.

Commissioner Cox and County Manager Don Adams talked about a couple of the counties are not changing it.

Chair Richardson urged the Commissioners to study it and put it on the next agenda.

County Manager Don Adams talked about a letter from the Cooperative Extension Service. He reviewed the letter where State Legislature granted bonus leave to the Cooperative Extension Service. He explained that the County has to approve it because the County provides a portion of their salaries. He explained that there are two choices for the Board; grant the request or not grant the request. He further explained that it's not additional money.

Chair Richardson and County Manager Don Adams talked about this will cover all of the full-time cooperative extension service staff.

Commissioner Cox and County Manager Don Adams talked about this is a one-time thing. The County Manager explained that we have seen this before where they try to give leave in lieu of money because of their financial situation.

Commissioner Roten talked about if they don't use it by the end of June; they lose it.

County Manager Don Adams explained the two different types of leaves and rollover to the sick leave.

Commissioner Roten made a motion to grant the request. Commissioner Cox seconded the motion.

Commissioner Goudreau asked is this fair to the other county employees. County Manager Don Adams explained that they don't receive the same benefits as other county employees

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

County Manager Don Adams talked about the current Transfer Facility loader, CAT 924G, which is 3 1/2 -4 years old with 8,000 hours. He explained that the County normally gets 10,000-12,000 hours before spending major money on it. He further explained that the problem is the back-up loader. He explained that we had a small repair of a starter on the CAT where we had to use the backup, which is a 1970s John Deere model, something used in the military, transmission is going out of it, and is unsafe in the tight corners of the Transfer Facility. He talked about getting prices to fix it, exploring options of repairing the John Deere or look at another loader. He explained that he is trying to come up with a backup loader. He further explained that a county employee did have issues with the current backup loader, if the current loader needs a major repair then the John Deere being used in its current condition. He explained that he has talked to CAT, Case and going to bring in other dealers. He explained that the County put solid tires on it, which is a must, explained why and the tires are \$15,000-\$20,000. He described in the perfect world of being able to interchange the attachments and completely interchange with the current loader. He talked about options with the attachments. He explained what the backup loader is used for at the white goods building, and the attachment is for the white goods. He said that in the next month or so he will come back with options. He talked about trade-in versus selling it. He explained that CAT's models are getting a little bigger, and provided the example of the equivalent loader to the current loader is one foot more on the turning radius. He talked about a foot could make a difference. He reiterated that to run the John Deere weeks as a backup isn't safe for the employees or the public.

Chair Richardson asked about a timeline. County Manager Don Adams said he has already met with two and wants to meet with some more companies. The County Manager explained that the next decision before the board will be whether to put X amount in the John Deere or go out to the bid for new equipment which he hopes is the next meeting or the following one.

County Manager Don Adams talked about the weight of the loaders. He explained that another thing he is exploring is whether to go smaller because now we have a metal floor. He talked about a smaller loader may have problems with a lot of construction debris. He said that it's going to take him a few weeks to research all of this.

Commissioner Roten talked about the John Deere is a 74 model. He talked about it has a lot of age to be putting a lot of money into it. He said that it's hard to do something 6 days a week 12 hours a week without the proper equipment. He further said that he is not in favor of putting money in the John Deere. He talked about using the CAT as a backup.

Chair Richardson and County Manager Don Adams talked about the possibility of looking at surplus loaders. The County Manager talked about we know what we have with the John Deere, purchasing surplus runs the risk of not knowing what it is and could cost more to fix. Chair Richardson said he tends to go with Commissioner Roten about using the current CAT as a backup.

County Manager Don Adams said that it will take several months to get a new one but he might be able to stretch it out to 7 years.

Commissioner Cox and County Manager Don Adams talked about the John Deere will be sold.

County Manager Don Adams presented the Alleghany County, NC Project Proposal Summary Appalachian Regional Commission (ARC) Piney Creek Elementary School Sewer Improvement (PCS). He explained the ARC application process for PCS and the application has been presented to ARC. He reviewed the summary including the funding in the amount of \$182,000 from ARC, \$384,000 from the NC Rural Center and \$10,000 from Alleghany County for a total of \$576,000. He reminded everyone that the \$384,000 from the Rural Center is a grant for \$364,000 and a planning grant for \$20,000 which requires the \$10,000 match from Alleghany County. He explained the preliminary cost estimates dated March 28, 2012, in the amounts of \$303,300 for septic, pretreatment and effluent pump station costs, \$121,700 for effluent force main and drain field costs, and \$151,000 for the related costs and contingencies. He further explained the estimated related costs category of land/rights--\$30,000, legal services--\$4,300, basic engineering--\$38,300, additional engineering--\$8,500, inspections of the installation--\$21,600, treatment system O&M agreement---\$5,800, and construction contingencies--\$42,500. He stated that the total project costs are \$576,000. He reiterated the funding categories and their amounts. He explained that in the next couple of weeks he will be reviewing the engineering proposals. He further explained that ARC does not administer grant so he is looking at getting USDA to administer the ARC grant. He provided examples of what is required to go through USDA. He talked about reviewing the engineering proposals and looking to get the final letter from ARC awarding the grant. He explained that the next things to come before the Commissioners will be the recommended engineering proposal and actual project ordinance, which will look like the numbers presented here.

Commissioner Goudreau made a motion to enter into closed session at 7:42pm under NCGS 143.318.11 (a) (6)—personnel. Commissioner Cox seconded the motion. Vote 5:0.

Commissioner Smith made a motion to adjourn closed session at 8:00pm and reconvene the regular meeting. Commissioner Goudreau seconded the motion. Vote 5:0.

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

Being no further business, Commissioner Goudreau made a motion to adjourn at 8:02pm. Commissioner Cox seconded the motion. Vote 5:0.

Respectfully submitted,

Karen Evans
Clerk to the Board

Attest:

Ken Richardson
Chairman