

The Alleghany County Board of Commissioners met in regular session on Monday, August 17, 2009, at 3:30pm 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, Commissioner Steve Roten, County Attorney Donna Shumate, County Manager Don Adams and Clerk to the Board Karen Evans.

Chair Ken Richardson called the meeting to order.

Commissioner Doug Murphy led the Pledge of Allegiance and opened the meeting with a prayer.

Commissioner Milly Richardson made a motion to approve the agenda for this August 17, 2009, meeting. Commissioner Randy Miller seconded the motion. Vote 5:0.

AGENDA  
Monday, August 17, 2009  
3:30 PM

- 3:30 Meeting Called To Order, Pledge of Allegiance and Prayer  
Motion on Agenda for August 17, 2009, meeting  
Motion on Minutes for August 3, 2009, meeting  
Motion on July Tax Releases & Refunds
- 3:35 A. Public Comments—30 minutes  
B. Mary Walker  
RE: Tax Appeals  
C. Dr. Jeff Cox  
RE: QSCB and Annual Report  
D. County Business  
1. Farmland Preservation Board Appointments  
2. Library Board Appointments  
3. Propane Bids  
4. State Budget Update  
5. Floodplain Ordinance  
6. EMS Building Project  
7. Other Business  
8. Closed Session—NCGS 143-318.11 (a) (6)—personnel  
9. Adjourn

Commissioner Randy Miller made a motion to approve the minutes for the August 3, 2009, meeting. Commissioner Milly Richardson seconded the motion. Vote 5:0.

Commissioner Doug Murphy made a motion to approve the real refunds and releases for July. Commissioner Milly Richardson seconded the motion. Vote 5:0.

Commissioner Randy Miller made a motion to approve the auto refunds and

releases for July. Commissioner Milly Richardson seconded the motion. Vote 5:0.

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

Mary Walker, Tax Administrator, came before the Board to present tax appeal letters. She presented letters from Ms. Crouse and Ms. Edwards. She explained that these two letters are about elderly exemption audits where they didn't get their information turned in on time. She said her recommendation is to approve the application.

Commissioner Milly Richardson made a motion to approve the elderly exemption application for Ms. Crouse. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Mary Walker stated that Ms. Edwards is the same situation.

Commissioner Milly Richardson made a motion to approve the elderly exemption application for Ms. Edwards. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Mary Walker presented a letter from Ms. Joyce, on behalf of Ms. Spurlin who is in a nursing facility, stating that no one has lived in the mobile home since she moved.

Chair Ken Richardson asked does this property have water or sewer.

Mary Walker stated that as far as she knows it does. She said she can revisit the property if the Board would like.

Chair Ken Richardson talked about the solid waste fee is an availability fee instead of a user fee.

Commissioner Milly Richardson asked can Mrs. Walker find out more about it.

Mary Walker agreed. She presented a letter from the Berrier's. She explained that this is a summer home in Piney Creek. She further explained that they do use this property but take their trash back with them.

Commissioner Milly Richardson talked about this being an availability fee.

Chair Ken Richardson explained the reason why it was changed to an availability fee rather than a user fee.

Mary Walker stated that she explains that to people when she talks with them, but if people want to appeal she has to let them.

Commissioner Steve Roten made a motion to deny this request. Commissioner Milly Richardson seconded the motion. Vote 5:0.

Mary Walker presented a letter from Ms. Johnson about property on Highway 21 South. She said that this structure doesn't have water or electricity plus it is grown up around it and doesn't look like it has been used for a while.

Commissioner Steve Roten and Mary Walker talked about the property.

Chair Ken Richardson and Mary Walker talked about this is a different circumstance than the previous one.

Commissioner Milly Richardson made a motion to waive the solid waste fee. Commissioner Steve Roten seconded the motion. Vote 5:0.

Mary Walker presented a letter for present-use value. She explained that Mr. Fender farms this property which is owned by Mr. & Mrs. Edwards. She further explained that they mailed an application before the deadline, and the Tax Office didn't get it. She said that this is the same situation as a late application. She further said that this does qualify for farm use otherwise.

Commissioner Milly Richardson made a motion to approve. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Mary Walker stated that she will bring Ms. Spurlin's information back at the next meeting.

Dr. Jeff Cox, Superintendent, came before the Board to present the Board of Education's annual report. He presented the test scores for each of the schools. He stated that all three elementary schools met high academic growth. He presented the growth and performance results for each school. He talked about the courses that have been added at the high school. He talked about their smart board initiative. He further talked about the QZAB projects and the items that have been completed at each school.

Commissioner Milly Richardson stated that the school system does an excellent job with what they have and agreed that Alleghany County has an excellent system.

Commissioner Randy Miller asked about the classroom wall at the high school.

Dr. Cox explained that they have been looking at it, and it doesn't seem to be a structural issue is the latest opinion. He said they haven't done anything on it yet.

Commissioner Randy Miller and Dr. Cox talked about the area is not in jeopardy of hurting the students and teachers. Dr. Cox talked about placing a support beam like is on the other side.

Dr. Cox brought two sets of drawings of Glade Creek Elementary School. He

displayed them to the Board. He explained the process of working with the facilities committee that came up with the two different options for the short term and long term needs at Glade Creek Elementary School. He explained the two options ranging in costs from \$2,300,000 to \$3,500,000. He reminded the Board that either plan will require the water/sewer needs to be addressed, and he has been working with the County Manager for water/sewer grants, which is estimated to be around \$700,000. He explained that the Board of Education has reviewed these plans and discussed them in detail. He said that their recommendation is the more comprehensive plan especially when looking at the long range plans. He talked about current issues with the cafeteria area.

Commissioner Doug Murphy talked about he doesn't know how Ms. Linker makes it work. He explained that if there are any backups at all then there are problems. He further explained that it is hard for kids to get through the line and eat in 25 minutes. He reiterated that it is a challenge, and she does a good job.

Dr. Cox and Commissioner Doug Murphy continued talking about the challenges in the cafeteria area.

Dr. Cox talked about looking at the increasing enrollment at the school. He further talked about they have found a way to make it work currently but when adding more students it will become very difficult. He talked about the gym. He further talked about since the middle school referendum failed; they agreed to fix all of the schools. He explained that they have consolidated the sports into middle school sports with each school wanting to be able to host home games. He further explained the flooring in the gym at Glade Creek. He said they want the schools to be equal and when looking at Sparta Elementary School and Piney Creek Elementary School, it is obvious that Glade Creek Elementary School needs renovations. He explained reasons why they are looking at the comprehensive plan. He reminded the Board that they have applied for QSCB funding and received notice that they can apply for more funding. He explained that they have been told to reapply and ask for what you need. He further explained that the deadline is August 26. He stated that he had asked if an application is put it what would happen if the County didn't get the grant for the water/sewer. He explained that they were told to request the total amount then let DPI know to remove that money if the grants are received.

County Manager Don Adams talked about the water/sewer number is \$850,000 because the \$700,000 figure did not include monies for property acquisition.

Commissioner Randy Miller talked about the Commissioners can either put a band-aid on the issues then have to go back later or fix it so it won't have to be considered for 25 years.

Commissioner Doug Murphy agreed. He talked about the 0% interest and not knowing when that will be available again. He reiterated that if part of the school is fixed now, then having to do more, the 0% interest may not be there as an option. He agreed to fix the issues. He talked about this is a community school because the fire department and the community uses the facility, too. He said that these needs are out

there. He explained that while the money is available go ahead and fix the issues.

Dr. Cox talked about one area that is unique to Glade Creek Elementary School was when the school was built; in the 50's. He talked about the size of the classrooms, number of classroom spaces and the physical space in the classrooms.

Glade Creek School Principal Janice Linker talked about the front entrance at the school where people can go directly into the cafeteria. She further talked about renovating the entrance so no one can get into the cafeteria without going to the office. She said that this is a safety issue. She explained why the gym area space cannot be utilized very well. She provided the Board with the number of children 5 years ago; 240, and today; 290, which does not count the 20 or so migrant children that will come in the fall.

Chair Ken Richardson thanked Randy Miller and Doug Murphy for their work on this project.

County Manager Don Adams discussed an analysis of potential loans for this project. He showed the Board the difference between regular loans and 0% interest loans. He provided the amount of the loan payments for the different scenarios. He explained that Dr. Cox is asking for permission to apply to DPI for these monies. He further explained the amount of money needed for each scenario. He talked about the differences between QSCB and QZAB. He reminded everyone that the County is going to apply in September for the water/sewer grant and discuss land acquisition. He showed the Board another analysis putting in the estimated water/sewer and land acquisition to make the projects \$3,150,000 or \$4,350,000. He explained that he ran the same numbers showing the difference between regular loans and 0% interest loans. He said that the Board has to choose which project to go with. He explained that if the Board ever thinks they are going to build the expanded version, the County won't find money cheaper than 0% interest and later could cost an additional \$450,000 because of the interest.

Commissioner Steve Roten asked the County Manager about the debt payments and what kind of funding will go towards this; tax monies or lottery proceeds.

County Manager Don Adams explained that the lottery proceeds are already being spent on the Sparta Elementary School eight-classroom addition.

Commissioner Steve Roten and County Manager Don Adams talked about there are no other funds beside the General Fund available.

Commissioner Doug Murphy asked about debt reduction over the 12-year period.

County Manager Don Adams explained that next fiscal year debt payments will reduce by \$235,000. He reiterated that they will factor out the water/sewer monies if the grant is received.

The Board asked how likely is it to get the grant.

County Manager Don Adams and Dr. Cox explained that they have already invested in the planning grant. The County Manager said that the Rural Center is expecting a grant application for this project.

Chair Ken Richardson stated that even if the County doesn't get it, the Board needs to step up because there is a need that has been there for a long time.

Dr. Cox talked about looking at the whole project and that this situation is unique. He explained that the 0% interest is through the recovery act.

Commissioner Milly Richardson stated that everyone has done an excellent job. She talked about this is cost effective and if it wasn't for the fact that we are in difficult times, she would say do it tomorrow. She talked about the worst case scenario the County would have to come up with.

Dr. Cox reiterated that the \$850,000 would be spread out over the term of the loan.

Commissioner Milly Richardson talked about the worst case scenario is \$362,500 that the County would have to come up with. She said she feels like the taxpayers should be pleased with the work that has gone into this project.

Commissioner Doug Murphy made a motion to approve applying for the \$4,350,000. Commissioner Randy Miller seconded the motion. Vote 5:0.

Dr. Cox explained that the Governor will be at Sparta Elementary School at 10:30am on Wednesday. He invited the Board to attend.

County Manager Don Adams presented a letter from Paul Edwards requesting that the following people be reappointed to the Farmland Preservation Advisory Board; David Isner, Dennis Franklin, Jim Dixon terms ending June 2011 and David Gambill, Lewis Upchurch, Paul Edwards terms ending June 2012.

Commissioner Milly Richardson made a motion to approve the reappointments of David Isner, Dennis Franklin, Jim Dixon terms ending June 2011 and David Gambill, Lewis Upchurch, Paul Edwards terms ending June 2012 to the Farmland Preservation Advisory Board. Commissioner Steve Roten seconded the motion. Vote 5:0.

County Manager Don Adams presented a letter from Pat Polly regarding library appointments. He explained that they are requesting that Susan H. Murphy and Brant Banks be appointed to the local library board, and Sandy Carter be reappointed to the regional library board.

Commissioner Milly Richardson made a motion to approve the library appointments of Susan H. Murphy, Brant Banks and Sandy Carter. Commissioner Doug Murphy seconded the motion. Vote 5:0.

County Manager Don Adams presented the bids for propane; Blue Ridge Energies—\$1.159, G&B Energy—\$1.199 and Hometown—\$1.373. He reviewed the proposed contract with Blue Ridge Energies.

Commissioner Milly Richardson made a motion to approve propane agreement. Commissioner Randy Miller seconded the motion. Vote 5:0.

County Manager Don Adams provided an update on the State budget. He provided the highlights of how the State budget impacts Allegheny County's budget directly including the items that were planned during the budget process and items that were not. He reiterated that the amount of not planned items totaled \$40,576. He reminded everyone that these numbers do not include mental health, health department, Wilkes Community College or any of the outside funded agencies.

Commissioner Milly Richardson stated that this is not as bad as it could have been.

Chair Ken Richardson talked about the floodplain ordinance. He explained that this was discussed at the first meeting in August and was tabled until this meeting.

County Manager Don Adams explained that the Town's adoption of the ordinance was postponed. He further explained that nothing on the County's side has changed. He said that he called the State about Mr. Miles's concerns. He reiterated that these are FEMA's maps, and they do not change whether the County adopts this ordinance or not adoption. He explained that the only way to change is a map is a letter of map amendment or letter of map revisions.

DW Miles talked about he had Marvin Myers do a survey for him, and he has met with the Town. He explained the findings on the survey. He talked about other areas regarding property in the floodplain. He explained that he looked at the maps today and what he can see is that more people have to pay to get out of the floodplain area that isn't really in the area. He talked about there are very few structures in the floodplain. He said that flood insurance isn't very helpful and is costly.

County Manager Don Adams explained that these maps exist and lending institutions use these maps whether the ordinance is adopted or not. He explained that the State went through the appeal process. He said he talked to them about a hardship and asked is there a way to go back in the process and was told no. He stated that the County has to rely on the State; they had the appeal process and produced the maps. He explained that FEMA has contacted with the State for this service.

Commissioner Doug Murphy and Commissioner Randy Miller discussed the appeal process.

County Manager Don Adams reiterated that a letter of map amendment or letter of map revision can be done. He explained during the appeal process, people attending these meetings would still have to prove the maps were wrong.

Commissioner Milly Richardson talked about the County can't ask them to make amendments because individual property owners must do it.

County Manager Don Adams and DW Miles talked about the County Manager has called the State, the information that the County will be sending in, letter of map revision, the County has been receiving letters from FEMA stating that the ordinance must be approved or Alleghany County will be suspended from the Flood insurance program and the property that Mr. Miles is talking about is in the Town.

Commissioner Milly Richardson stated that she understands DW's concern but the County can't request that they make changes because the property owner has to make that request.

County Manager Don Adams reviewed his conversations with Steve Garrett in Raleigh, and they aren't going to reopen the appeal process.

Commissioner Milly Richardson asked if there is any legal way to force them to review it.

Commissioner Doug Murphy asked does the Board have any recourse.

County Attorney Donna Shumate explained that there are two separate issues; floodplain ordinance must be adopted in order for people to get insurance.

DW Miles asked how many people need flood insurance.

County Attorney Donna Shumate answered that if only two need the insurance; they deserve to get the insurance. She explained that it is a separate issue if people should not be in the floodplain. She further explained that there was a process that people could have gone through in October, and the process is closed. She talked about the options of letter of map amendment or letter of map revisions. She explained that this process is available to everyone.

Commissioner Doug Murphy asked would the survey work as evidence.

DW Miles stated that he understands that the survey would go with the ordinance when the ordinance is sent in to get it changed.

County Attorney Donna Shumate reminded the Board that if the Board doesn't approve this today, people won't have flood insurance.

County Manager Don Adams informed everyone that the banks are doing flood audits. He talked about the existing maps have been around since 1977, and it is becoming an issue about loaning money on properties in the floodplain. He explained that the maps will still exist and banks will use them even if the Board doesn't adopt the ordinance.

Commissioner Milly Richardson reiterated that the Board's hands tied, and she doesn't think the Board can do anything.

County Attorney Donna Shumate talked to DW Miles about if the Board passes the ordinance and sends in your maps you will be in a win-win situation.

Chair Ken Richardson asked if the Board can act on this ordinance, and can the County submit the information.

County Manager Don Adams talked about Bryan Edwards needs to do it because it is in the Town.

Commissioner Steve Roten made a motion to approve the ordinance and send it in with the additional information. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Randy Blankenship, Chief Building Inspector, showed the Board a drawing of the EMS building including requested changes to the building.

County Manager Don Adams handed out papers regarding changes to the building.

Randy Blankenship talked about this is the same layout and that the changes are more code related. He reviewed the changes.

County Manager Don Adams reviewed the changes to the building; installing property egress windows, firewalls, fire alarm system, replace all electrical and replace sewer line. He talked about what the insurance company has approved.

Randy Blankenship explained the amount of steel to be replaced.

County Manager Don Adams talked about the interior items they have priced out replacing: changing furnace to heat pump and heaters in bay to propane, \$1,385; replace sewer lines, \$5,566; new bathroom, \$3,000; fire alarm, \$8,966; electrical, \$25,225. He further talked about what is and isn't included in the insurance numbers. He stated that with the changes that Mr. Blankenship is talking about will be \$44,000, and there will be some additional costs with demolition.

Commissioner Milly Richardson and Randy Blankenship discussed where the fire broke out and having fire alarms or a sprinkler system.

County Manager Don Adams and Randy Blankenship explained a fire alarm and a sprinkler system and their differences including smoke sets off fire alarms and heat sets off the sprinklers.

Commissioner Milly Richardson, County Manager Don Adams and Randy Blankenship talked about the fire alarm versus sprinkler systems. They talked about the reason the fire started. She talked about rewiring the entire building.

Commissioner Doug Murphy agreed that the wiring has to be done.

Commissioner Milly Richardson asked the EMS Shift Supervisors and Linda Edwards if they are comfortable with the fire alarm versus the sprinkler system. EMS Shift Supervisors and Linda Edwards agreed.

Commissioner Steve Roten and Randy Blankenship talked about the amount of metal proposed to be replaced.

Chair Ken Richardson talked about giving them approval to go forward.

Commissioner Milly Richardson made a motion to move forward with the changes today. Commissioner Randy Miller seconded the motion. Vote 5:0.

County Manager Don Adams asked does this include all of the metal.

Chair Ken Richardson answered yes.

County Manager Don Adams talked to the Board about how to deal with selecting contractors on this building. He explained that they are looking at breaking this down into two areas; metal and interior.

Randy Blankenship explained the need to bid the metal separate because needing someone that has experience with metal buildings. He further explained that several local contractors can do the inside. He talked about inviting the local contractors to attend a pre-bid meeting.

County Manager Don Adams explained the reasons for breaking it out separate.

Commissioner Steve Roten and Randy Blankenship talked about the structural work has to be done first.

The Board stated to bid them separately then the Board will look at them.

County Manager Don Adams informed the Board that the demolition derby will be canceled due to the lack of contestants. He explained that the Fair will go on. He further explained that volunteers run this, and they don't think they have enough contestants to have the derby.

Chair Ken Richardson talked about the County-wide event on August 8. He thanked everyone involved with the event. He talked about the overall participation was great. He congratulated Gerald Leftwich for a realistic event.

Chair Ken Richardson talked about the Indian gathering at Crouse Park on August 15.

Commissioner Doug Murphy made a motion to go into closed session at 5:35pm

under NCGS 143-318.11 (a) (6)—personnel. Commissioner Steve Roten seconded the motion. Vote 5:0.

Barbara Kelly joined closed session at 5:45pm and left at 6:00pm.

Carl Moss joined closed session at 6:20pm and left at 6:26pm.

Commissioner Doug Murphy made a motion to adjourn closed session at 6:32pm and reconvene the regular meeting. Commissioner Milly Richardson seconded the motion. Vote 5:0.

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

Commissioner Steve Roten made a motion to uphold the County Manager's decision of the dismissal of Barbara Kelly. Chair Ken Richardson seconded the motion. Vote 4:1 (Milly Richardson).

Commissioner Randy Miller made a motion to take a temporary employee in the Maintenance Department and make the person full time. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Being no further business, Commissioner Milly Richardson made a motion to adjourn the meeting at 6:35pm. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Respectfully Submitted,

Karen Evans  
Clerk to the Board

Attest:

Ken Richardson  
Chairman