

The Alleghany County Board of Commissioners met in regular session on Monday, August 20, 2012, at 10:00am 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, led the Pledge of Allegiance and a silent prayer.

Chair Richardson stated that the following items need to be added to the agenda; 1. b. Conservation Easement, 8. Update on Sertoma Investigation, and closed session for (a) (6)—personnel.

Commissioner Cox made a motion to approve the amended agenda for this August 20, 2012, meeting. Commissioner Smith seconded the motion. Vote 5:0.

AGENDA
Monday, August 20, 2012
10:00 AM

- 10:00 Meeting Called To Order, Pledge of Allegiance and Silent Prayer
Motion on Agenda for August 20, 2012, Meeting
Motion on Minutes for August 6, 2012, Meeting
- 10:05 A. Public Comments—30 minutes
B. Rita Miller
RE: July Releases and Refunds
July Collections Report
Elderly Exemption Appeal
Deferred Taxes Appeal
Solid Waste Fee Appeal
- C. April Hamm
RE: Alleghany in Motion Fees
- D. Board of Elections Annual Report
- E. Travis Dalton
RE: Property Rights Protection Ordinance Update
High Impact Land Use Ordinance Update
Planning Annual Report
- F. General Business
1. a. Request for Release of Property Restrictions
1. b. Conservation Easement (added)
2. Farmland Preservation Board Reappointments
3. Golden Leaf Grant Update
4. Piney Creek School Septic Project Ordinance
5. Piney Creek School Septic Project Engineer Contract
6. Northwestern Regional Library Contract
7. NCACC Legislative Goals
8. Update on Sertoma Investigation (added)
- G. Closed Session—NCGS 143-318.11 (a) (3)—legal
NCGS 143-318.11 (a) (6)—personnel (added)
- H. Adjourn

Commissioner Smith made a motion to approve the minutes from the August 6, 2012, 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 it should be evident to everyone that the American Republic is in danger of going the way of a Roman Republic. He further talked about liberty has never faced so many enemies, both foreign and domestic then add the multitude of complex problems that seem impossible to fix. He explained that we are not the first Americans to experience this. He read the 1863 Senate proclamation talking about a National Day of Prayer. He talked about God has given man the choice to govern himself to the power of the Holy Spirit. He further talked about George Washington was one of the most remarkable men to live. He read a prayer offered by George Washington from a book titled George Washington, a Christian by William J. Johnson. He said that our Country is in trouble. He talked about if each person would see themselves as George Washington saw himself and seek the Lord and ask for forgiveness then the battle against evil would begin to bear fruit. He further talked about if we fail to stand then we will suffer the consequences which history has shown results in death and destruction. He explained that you as

representative can make a difference. He asked the Board again to vote in favor of the resolution opposing UN Agenda 21.

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

Rita Miller, Tax Administrator, presented the July auto releases and refunds.

Commissioner Smith made a motion to approve the July auto releases and refunds. Commissioner Roten seconded the motion. Vote 5:0.

Rita Miller presented the July real property releases and refunds.

Commissioner Roten made a motion to approve the July real property releases and refunds. Commissioner Smith seconded the motion. Vote 5:0.

Rita Miller presented the July 2012 collections' report.

Chair Richardson and Rita Miller talked about August will tell if we are ahead for this year.

Rita Miller presented an application for an elderly exemption that does qualify but turned the application in late.

Commissioner Roten made a motion to approve the late application. Commissioner Smith seconded the motion. Vote 5:0.

Rita Miller presented an appeal of deferred taxes/rollback. She explained that the property no longer meets the requirements for present-use value. She cited the Statutes regarding this disqualifying event.

Chair Richardson asked if the Tax Administrator feels comfortable based on the information she has. Rita Miller answered yes.

Commissioner Smith talked about failure to notify the tax office is the issue. Rita Miller said that is part of it and the property doesn't confirm to the requirements any more.

Commissioner Roten and Rita Miller talked about how the property does not qualify because it isn't 5 acres of horticulture. He said there is a lot of dying trees on that tract of land. He talked about the trees and said going back 3 years is harsh. Rita Miller said that is what the NC General Statutes (NCGS) says.

Chair Richardson clarified that if we vote against we are voting against State law.

Commissioner Cox and Rita Miller talked about the amount of the bill. County Manager Don Adams and Rita Miller talked about the amount of the penalties and interest.

Commissioner Smith, Chair Richardson and Rita Miller talked about information sent including the language of being responsible for deferred taxes in the event the property doesn't qualify anymore.

Commissioner Roten and Rita Miller talked about how 3 years is determined.

Rita Miller said that the property owner agrees that it doesn't qualify anymore.

Commissioner Cox asked about the property owner only paying the taxes not the interest and penalties. Rita Miller explained that in NCGS 105-380 you can be personally liable for it if you release it.

Commissioner Roten said that he can't support anything that makes him pay this back. He asked for clarification about what is being asked in the appeal. Rita Miller explained that he knows it doesn't qualify and will have to reapply if the property use is changed. He reiterated that he isn't going to vote for someone to pay back taxes.

Commissioner Cox asked for the Tax Administrator to refresh their memory on the Collins case. Rita Miller explained that situation was due to a true discovery not deferred taxes.

Commissioner Goudreau and Rita Miller talked about the question is the trees died at some point, and he is just letting the Tax Office know now.

Commissioner Roten reiterated that he has a problem with this and can't support it.

Chair Richardson said to Commissioner Roten if you feel this strong about it then it needs to be one of the legislative goals.

Commissioner Roten said he understands that but it needs to have room for good judgment. He talked about the interpretation of the Statues.

Commissioner Cox talked about the aerial photos provided to the Board. He reviewed the 2005 photo showing no trees and the 2012 photo showing grown up white pine trees, additional white pine trees, very few Fraser firs on part of the property and a piece of the property with Fraser firs. Rita Miller explained that this is the reason for the disqualification. Commissioner Cox talked about it was Fraser firs now is white pine which the owner made the decision to plant.

Commissioner Cox made a motion to uphold Rita Miller's recommendation of not releasing the deferred taxes. Chair Richardson seconded the motion. Vote 3:2 (John Goudreau, Steve Roten).

Rita Miller presented a solid waste appeal for a house that hasn't been lived in since October 2011. She explained that it is questionable whether it is habitable or not. She talked about the power meter was still on the house.

Commissioner Roten made a motion to grant the request but if he has the power turned on and is livable he is to notify the Tax office.

Rita Miller explained that information is standard in their letter.

Commissioner Cox seconded the motion on the floor. Vote 5:0.

April Hamm, Transportation Director, explained that she comes before the Board to talk about the ROAP grant especially the rural general public (RGP) grant. She stated that the RGP grant was overspent last year by \$6,900. She explained that she talked to her advisory board, and they have suggested increasing rates a little to off set the loss. She further explained the out-of-county fares and the current amount/proposed increase. She explained the veteran out-of-county fares and why their transportation isn't through EDTAP, currently approximately 1,200 veterans in the county, and reviewed the current amount/proposed rate increases for veterans.

County Manager Don Adams reminded everyone that this is the operational fund not the General Fund. He talked about they overspent by \$6,900, they still provided transportation, have a fund balance to cover it but the fund balance cannot take another hit like this.

County Manager Don Adams and April Hamm talked about the actual costs for a veteran to go to Johnson City is \$165, they currently pay \$40 and is proposed to go to \$50.

County Manager Don Adams talked about when the Board gets into the legislative goals, this may be something to discuss. He further talked about one reason for this deficit is because so many more are using the program but another reason is the coordination of Medicaid, which has also impacted those funds. He explained that this is the tip of the iceberg if Medicaid is brokered out privately. He stated that April Hamm is going to look at this again in 6 months and may have to come back to request it to go to \$165 from \$50 at that time. He explained that if the brokerage system gets in place, this will be common discussions. He said that its going to feel like we have half of the money coming in, and it will be a direct impact to the elderly and veterans. He stated that in order for AIM to not lose \$6,900 again, it is recommended to increase the rates.

Chair Richardson talked about the legislative goals, and we need to get this into those conversations. He talked about the importance of the Alleghany in Motion program and, in his opinion, it is in jeopardy.

Commissioner Roten and April Hamm talked about 75% of trips are one veteran. She talked about trying to get the veterans coordinated on their appointments. They talked about narrowing down the service area but not narrowing down the health care options.

Commissioner Cox asked where the costs come from. April Hamm explained that it comes from the veterans. Commissioner Cox asked about the reimbursement to the veterans. April Hamm explained that yes some of the veterans get reimbursements but not all.

County Manager Don Adams talked about all veterans need to know that this is monies from the federal government and the need to make sure they understand the reimbursement guidelines.

Chair Richardson and April Hamm talked about the advisory board recommended raising the rates but she may be back. He asked when these new rates would be effective. April Hamm answered tomorrow.

Commissioner Smith and April Hamm talked about airport trips and in-county trips aren't increasing.

Commissioner Cox and April Hamm talked about the veteran pays AIM. County Manager Don Adams explained that RGP requires a cash match for the trip. Commissioner Cox talked about there is still federal reimbursements for veterans. County Manager Don Adams answered yes.

Commissioner Roten made a motion to approve the recommendation for the rate increase. Commissioner Smith seconded the motion. Vote 4:1. (John Goudreau).

Kate Cosner, Elections Director, presented the annual report for the Board of Elections. She reviewed statistics for voter registration, list maintenance, information about recent elections. She further reviewed tasks that they have completed; chief judge seminar, inspected all precincts with Gerald Leftwich, State board audit, ADA audit, results of the audits, problems with ADA mainly being no pavement. She reviewed the Kids Voting program including their fundraisers.

Commissioner Smith and Kate Cosner talked about the results of the audits, expired fire extinguishers and ADA compliance issues. She explained that they moved two voting precincts. She further explained that they use three fire departments now as voting precincts. She talked about issues at other precincts. She explained that there is a grant that can be applied for regarding those precincts.

Chair Richardson and Kate Cosner talked about she isn't aware of any liability on the county. She talked about the improvements through the grant for the Emerson Black building would be a plus.

Commissioner Smith and Kate Cosner talked about she has just returned from training. He asked if there is anything new regarding voting. She explained that yes there are some absentee voting changes. She further explained that they will be having an open house in September.

Travis Dalton, Planner, presented the Planning Department's annual report. He reviewed statistics regarding the number of building permits reviewed and types/number of permits issued, compliance permits issued, conditional-use permits issued, number of minor subdivisions reviewed and stamped, number of Planning Board meetings, number of proposed ordinance changes. He updated the Board about rewriting the regional hazard mitigation update plan, and he has received his certified floodplain manager certification.

County Manager Don Adams and Travis Dalton talked about minor and major subdivisions.

County Manager Don Adams and Travis Dalton talked about Travis Dalton's building inspector levels' status. The County Manager reminded everyone of previous conversations about Travis Dalton and Brian Killon being the two inspectors after Randy Blankenship retires.

Travis Dalton presented a Property Rights Protection Ordinance amendment for a change to the uses by right of adding "Any existing commercial or retail structure that was previously occupied as a commercial or retail business that was primarily an indoors business that follows the intent of this ordinance and the community compatibility assessment and not requiring an ABC permit." He explained the purpose of the change.

Chair Richardson and Travis Dalton talked about the Planning Board is recommending this.

Chair Richardson and County Attorney Donna Shumate talked about the Commissioners will have to have a public hearing.

Chair Richardson asked is the Board wanting to move forward.

Commissioner Cox said yes.

Commissioner Smith and Travis Dalton talked about examples of old convenience stores that have closed that may be reopened as a convenience store as long as an ABC permit isn't required.

County Manager Don Adams explained the current language of the ordinance. Travis Dalton explained that if the business requires an ABC permit then a public hearing must be held.

Chair Richardson talked about the consensus of the Board is move forward on the public hearing.

Travis Dalton talked about the High Impact/Polluting Industries ordinance. He presented changes to the ordinance of adding language in E. Spacing Requirements – Protected Facilities of "except drag strips and racetracks and they shall not be located within one thousand (1,000) feet and deleting language in G. Minimum Tract Size and Ownership of excluding Drag strips or Race Tracks, which shall be located on a

tract no less than forty (40) acres in size. He provided a recent example of a farmer owns 140 acres and the ordinance still impacted two houses.

County Manager Don Adams asked why not change it all to 1,000 feet. Travis Dalton explained the purpose of leaving 2,000 feet versus 1,000 feet.

Chair Richardson and County Manager Don Adams talked about two different ordinances and the public hearing can be scheduled.

Commissioner Cox and Travis Dalton talked about how this came about because of someone wanting to do a mud sling on their property.

County Manager Don Adams explained that according to the Property Rights Protection Ordinance, Travis Dalton has to notify everyone in 2,000 feet, which was from the High Impact/Polluting Industries Land Use Ordinance. He talked about 2,000 feet is a long way. He explained as they were going through this he asked if the County is going to change it in one ordinance then why not change it for the other ordinance.

Chair Richardson declared a brief recess at 11:15am.

County Manager Don Adams presented information regarding the Town of Sparta and Bottomley Properties NC LP wants to exchange property. He explained that the Town of Sparta will receive 7.56 acres for 5.80 acres to Bottomley. He further explained that when they started looking to do the exchange, they saw there are restrictions on the Bottomley property because it is part of the industrial park. He explained that Bottomley wants to make another service entrance to the property. He read the proposed resolution.

Chair Richardson and County Attorney Donna Shumate talked about she has reviewed this.

Commissioner Goudreau made a motion to approve resolution. Commissioner Smith seconded the motion. Vote 5:0.

County Manager Don Adams presented the conservation easement with the Town of Sparta. He explained that the easement has already been approved. He reminded everyone that the Town got a grant for storm water management which requires this easement. He explained the location of the property. He further explained that there were some concerns by the Board, and his understanding is Bryan Edwards talked to the Board individually about those concerns.

Chair Richardson and County Attorney Donna Shumate talked about she has reviewed this. She stated that nothing has changed.

County Manager Don Adams explained that the previous concern was about D. Right of Enforcement in State. He talked to the Town about the concern, the Town went to the State about the language and they cannot change the wording. He explained his understanding of the language.

Commissioner Goudreau made a motion to approve the amendment. Commissioner Smith seconded the motion. Vote 5:0.

County Manager Don Adams presented a letter from Paul Edwards with Farmland Preservation Program requesting that David Gambill and Paul Edwards be reappointed to serve on the Farmland Preservation Program Board for an additional three years.

Commissioner Cox made a motion to approve the request. Commissioner Goudreau seconded the motion. Vote 5:0.

County Manager Don Adams provided an update regarding the Golden Leaf grant. He reviewed the timeline, and the awards so far; Alleghany County Schools almost \$1,200,000, Appalachian District Health Department/Alleghany Memorial Hospital \$500,000, Miles Job Fund \$75,000, which leaves about \$225,000. He explained that the Town of Sparta's project was denied, leaves two projects; library for \$500,000, veteran park for \$75,000. He further explained that these two projects have been deferred until October. He talked about Golden Leaf has given more than \$2,000,000 in some communities. He explained that the County will not know from Golden Leaf on the money until October.

Commissioner Smith asked if the County Manager has heard from them for more information.

County Manager Don Adams answered no. He explained he got a letter but no conversations about what is needed. He said that the Park must be completed by October 2013 so the construction must be done by September. He reviewed his timeline including obtaining an erosion control permit and creek crossing permit. He reminded everyone that the wetlands have already been delineated. He talked about bidding it out. He further talked about getting the permits then get out there with County employees to dig

around to see what we've got because he thinks that will save money but he can't do that without the erosion control permit.

Chair Richardson and County Manager Don Adams talked about the money and the process to get the erosion control permit in order to get out there. The County Manager explained the timeline assuming that the \$75,000 was awarded, and if he started today it would be 6 weeks, at best, before submitting the plan. The County Manager talked about he thinks it will take 2-3 months to get the permit.

Chair Richardson said his recommendation is to move forward with it because we are in jeopardy of losing the \$173,000 and the project itself. He talked about the moving forward during the winter months like the County Manager is talking about doesn't jeopardize the Golden Leaf monies, only enhances it.

Commissioner Smith asked for an update on the funding efforts.

County Manager Don Adams reviewed the funding for the Park; \$172,500 from PARTF, \$115,000 total fundraising. He further reviewed the breakdown of the fundraising; Rotary—\$15,000, BB&T—\$25,000, Chatham Foundation—\$25,000, private donation through the Triangle Community Foundation—\$50,000. He explained to get the required match is \$57,000, and the request to Golden Leaf was \$75,000 because of potential additional environmental costs.

Chair Richardson talked about if we are serious about getting this Park and not jeopardize those types of funds, he is recommending that we authorize the County Manager to proceed the way he outlined by applying for the erosion control permit, using County employees and use County funds to keep it on schedule.

Chair Richardson made a motion to authorize the County Manager to proceed the way he outlined by applying for the erosion control permit, using County employees and use County funds to keep the Park on schedule. Commissioner Roten seconded the motion.

County Manager Don Adams said that he will report back what the costs are.

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

Commissioner Cox talked about Golden Leaf didn't tell the County Manager why it is deferred or ask any questions, just that they would reconsider it in October. He further talked about the County has stepped up by providing the land, committed to the maintenance of the Park afterwards, and the initial environmental costs. County Manager Don Adams agreed and said that the County paid for the wetland delineation. Commissioner Cox and County Manager Don Adams talked about the value of the commitment from the County including the property was \$6,000 an acre in the early 1990s and with the previous engineering costs, the County has \$45,000-\$49,000 in the project already. Commissioner Cox said that he is supportive of this project and don't want to see this lost.

County Manager Don Adams presented the proposed project ordinance for the Piney Creek School Septic Project Fund. He read the proposed ordinance. He explained the County has to go through the bidding process but at this point there is \$10,000 committed from the County.

Commissioner Cox made a motion to approve the project ordinance. Commissioner Roten seconded the motion.

Commissioner Roten asked what if the project comes under budget, where do the funds go. County Manager Don Adams answered it goes back to the grants and explained the Alleghany County has to spend the \$10,000 because it is a match to one of the grants

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

County Manager Don Adams reviewed the engineering proposal for the Piney Creek School Septic Project. He stated that this has been approved by USDA with their changes. He reminded everyone that USDA is administering the ARC grant. He further discussed the proposed engineering service agreement with Adams-Health. He reviewed the engineering costs including items where the County has received credit and after adding everything up then it adds up to \$68,400 that is on the project ordinance.

Commissioner Cox and County Manager Don Adams talked about the amount of the Rural Center reimbursement.

Commissioner Smith made a motion to approve the contract. Commissioner Cox seconded the motion. Vote 5:0.

County Manager Don Adams explained that the State is looking at the plans. He talked about one issue is whether there was fathom water in the system, and working with the Town to use their equipment at the site. He further talked about he told the school system he doesn't have money to replace their lines. He reviewed the money for the project. He talked about it's looking like they are going to make us replace the grease trap. He reiterated that there is no money to run all new lines for the School. He explained that he hopes that it isn't the pipes that are collapsed because, if so, then he will have to have conversations with the school system because this money will only cover the septic system.

Commissioner Cox said that he wanted to remind people that the Piney Creek fire department and the rug factory are tied into this system. County Manager Don Adams stated that's correct.

County Manager Don Adams reviewed the Northwestern Regional Library contract. He reviewed the word municipality was added in the last paragraph on page 2 to match other language in the contract.

Commissioner Smith explained why the wording change is being recommended.

Commissioner Smith made a motion to approve the contract. Commissioner Cox seconded the motion. Vote 5:0.

County Manager Don Adams talked about turning the next conversation over to the Board about any proposed legislative goals to submit to NCACC.

Commissioner Smith talked about the NCACC annual conference closing event on Saturday where Chair Richardson was named as co-Commissioner of the year in North Carolina. He further talked about his 20 years of service as an Alleghany County Board of Commissioner, service on the Health and Human Service steering committee. He explained that to his knowledge this is a first for anyone from Alleghany County. He congratulated Ken Richardson.

Chair Richardson said thank you.

County Manager Don Adams turned the legislative goals conversation over to the Board.

Chair Richardson explained to the Board that this is a golden opportunity for your goal to go before the General Assembly then go in November to defend your reasons for the goal. He talked about this Board doesn't have to approve the goals. He explained that if one Commissioner has a goal, we will submit it then that Commissioner needs to go defend that goal.

County Manager Don Adams talked about Alleghany in Motion (AIM), and he thinks the future of AIM is threatened. He provided a history of the State wanting to reduce Medicaid costs, and going to a brokerage system. He explained that the entire State transportation budget is \$45,000,000, and when they got together they were trying to save 10% or \$4,500,000. He talked about the RFP process is about \$1,000,000-\$2,000,000. He further talked about after the RFP then there will be a brokerage system. He explained that Alleghany County citizens will call an 800 number then the brokerage system will find the cheapest mode of transportation. He explained that he has seen it occur personally. He reviewed how the process will work, and this will take away our ability to cost-share rides. He talked about AIM is quickly going to run through EDTAP and RGP monies. He explained that this is going to impact every senior citizen. He read the NCGS regarding the Department of Health and Human Services in developing the RFP. He talked about the language for the goal of not brokering the services if the loss of service dollars is greater.

Chair Richardson asked if there is a consensus with the Board.

Commissioner Cox said yes.

Chair Richardson talked about the County Manager served on the committee in opposition. He further talked about this needs to be a goal for the NCACC.

County Manager Don Adams explained that he prefers the NCACC to take a strong stance against this.

Chair Richardson said that he thinks this stands a good chance of being adopted. He reiterated that this is a golden opportunity to present issues to NCACC for it to be a goal for the General Assembly. He talked about coming up with one about taxes and have it submitted to NCACC.

Commissioner Roten talked about sometimes he thinks it is the interpretations of the General Statutes, and he doesn't know if changing the Statutes will address it since it is interpretations.

Chair Richardson talked about this could be an opportunity to have the General Assembly to address that particular General Statute and ask them to clarify.

County Attorney Donna Shumate talked about the ability to comprise in some situations but not others.

Commissioner Roten talked about situations where they owe back taxes because the Board is speculating when it became out of compliance.

Commissioner Cox talked about in this case trying to go back to other cases where the Board has been allowed to comprise. He said that very few things are black and white.

Commissioner Roten talked about after reading it, the Board still has to determine when they came out of compliance.

Chair Richardson reiterated that the new General Assembly can take that up. He talked about this morning's example can be appealed to the Property Tax Commission.

County Manager Don Adams talked about it is the intent to go back 3 years. He used an example of selling the property then it goes back 3 years. He reiterated that it seems like the intent is 3 years then the goal would be to get away from the 3 years.

Commissioner Roten said that he doesn't see that happening for clarification because a lot of the larger counties.

Chair Richardson talked about getting something on the table for discussion by the Association.

Commissioner Roten said that he would think that all county commissioners would like that opportunity.

Chair Richardson talked about having the County Manager, himself and Commissioner Roten meet to discuss the goal's wording.

County Manager Don Adams said the closest he has heard is giving you the ability to compromise in all areas.

Commissioner Roten said he has no problem supporting something if it is a clear violation but it's the gray area that is the problem.

Chair Richardson talked about another goal is the 2nd primary costs, and the 2nd primary was around 200 votes. He said that he would like to have a consensus from the Board. He further said that if the State wants to have a second primary, then share the cost. He asked if there was any problem with that.

Commissioner Goudreau and Commissioner Cox said no.

Chair Richardson talked about another goal is mental health. He explained the history of the 3:00am mental health vote right before they adjourned. He talked about the need to have a goal to restore or at least maintain the mental health funding.

Chair Richardson asked if there are other goals. No one spoke.

County Manager Don Adams provided information to the Board. He reviewed the actions where people came before this Board and discussed complaints about sertoma football and the operator based in Yadkin County, instructed County Attorney Donna Shumate to write a letter to Department of Insurance. He reviewed the packet of information; summary of case files from the agent service division, an agreement with Charles Collins and an agreement with Jeffrey Collins. He explained that basically there are two agencies working on this at the State level; agent services division, and criminal division.

County Attorney Donna Shumate talked about she wrote the Department of Insurance about three issues concerning sertoma football: certificates of insurance concerning accidental insurance, which they learned was a valid policy and provided coverage but there was an error on the certificate of insurance where it named Yadkin County football league as the insured rather than sertoma football but it cover the players Alleghany County had; sent two other certificate of insurance, on the first one was a fraudulent certificate of insurance issued by Charles Collins and the other one was a certificate of insurance issued by Jeff Collins which wasn't correct. She explained that Alleghany County had liability insurance coverage.

County Manager Don Adams talked about we listed out everything on our liability policy, and we didn't pay for additional liability insurance. He explained that we paid for accidental coverage.

County Attorney Donna Shumate talked about Alleghany County people were covered. She explained that it turns out that Alleghany County is not the only ones who have complained to the Department of Insurance. She further explained that the agent services division dealt with Charles Collins and Jeff Collins. She explained the findings including Charles Collins was fined \$3,000 and Jeff Collins was fined \$2,000. She talked about her and the County Manager talked about what this means to Alleghany County, gave it to District Attorney who then charged Charles Collins with 3 felonies.

County Manager Don Adams talked about giving the background information to the District Attorney, and Charles Collins has been charged with 3 felonies. He explained that we do have a local sertoma board. He further explained that sertoma is not Charles Collins, going to talk to a couple of local people about sertoma and that process has already started. He talked about locally there is a liability policy that has been confirmed is in effect this year and it has been confirmed that there is an accidental policy that has been confirmed is in effect this year for the Alleghany County kids.

Commissioner Cox talked about these charges came about because of our inquiry. The County Attorney said in part yes. Commissioner Cox talked about the charges are not related to Alleghany County. The County Manager explained the charges and how the third charge does somehow relate to Alleghany County because of the issuance of the binders. Commissioner Cox said that the County got what was paid for. County Attorney Donna Shumate agreed. Commissioner Cox said we provided liability insurance. County Manager Don Adams agreed.

Commissioner Smith said they are covered now. County Manager Don Adams talked about the sertoma board has confirmed the coverage for this year. Commissioner Smith asked is Charles Collins over sertoma. County Manager Don Adams said as of Friday he was working with sertoma.

County Manager Don Adams said this is all happening fast. He talked about conversations of if and when Mr. Collins is charged they will approach the Yadkin board about changing it has been the discussions among the superintendents for the different school systems.

County Manager Don Adams and Commissioner Smith talked about the teams currently in the sertoma league.

Commissioner Cox made a motion to enter into closed session at 12:46pm under NCGS 143.318.11 (a) (3)—legal and (a) (6)—personnel. Commissioner Goudreau seconded the motion. Vote 5:0.

Commissioner Goudreau made a motion to adjourn closed session at 1:20pm and reconvene the regular meeting. Commissioner Cox seconded the motion. Vote 5:0.

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

Being no further business, Commissioner Cox made a motion to adjourn at 1:22pm. Commissioner Goudreau seconded the motion. Vote 5:0.

Respectfully submitted,

Karen Evans
Clerk to the Board

Attest:

Ken Richardson
Chairman