

The Alleghany County Board of Commissioners met in regular session on Monday, November 18, 2013, at 10:00am in the Board Meeting Room of the County Administration Building, 348 South Main Street, Sparta, North Carolina.

Present: Chairman Larry Cox, Vice-Chair Tom Smith, Commissioner Larry Davis, Commissioner John Goudreau, Commissioner Karen Leys, County Attorney Donna Shumate, County Manager Don Adams and Clerk to the Board Karen Evans.

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

Chair Cox talked about closed session for legal needs to be added to the agenda.

Commissioner Smith made a motion to approve the amended agenda for this November 18, 2013, meeting. Commissioner Davis seconded the motion. Vote 5:0.

AGENDA
Monday, November 18, 2013
10:00 AM

- 10:00 Meeting Called To Order, Pledge of Allegiance and Silent Prayer
Motion on Agenda for November 18, 2013, Meeting
Motion on Minutes for October 28, 2013, and November 4, 2013, Meeting
- 10:05 A. Rita Miller - Tax Administrator
1. October Releases and Refunds - Standard release and refund of both automobile and real property taxes due to reasons listed on report. Actions Requested – Vote on releases and refunds.
 2. October Collections Report - Monthly 2013 collection rates through October as compared to 2012 monthly collection rates. No action requested.
 3. Enforced Collections Report – Summarizes enforced collections for the month of October 2013. No action requested
 4. Payment Agreement Report - List of people with payment agreements who did not make payments. No action requested.
- 10:15 B. David Bare - Alleghany County Jail Captain
RE: Jail Pack from Southern Software. Captain Bare will be presenting information on a software program designed to assist in the operation of the jail. Reporting is currently performed using multiple systems and is inefficient. If the software is purchased in calendar year 2013, then a 25% discount will be applied.
Action Requested — Vote prior to the end of calendar year 2013 to purchase the software and associated hardware.
- 10:25 C. Phil Trew – High Country Council of Governments Director of Planning
RE: Information will be presented for the High Country Regional Bike Plan.
Action Requested — Vote on the High Country Regional Bike Plan.
- 10:35 D. Clark Hunter – Blue Ridge Development Center Manager / Alleghany County Economic Development Corporation Director
RE: Mr. Hunter will be appearing before the Board to discuss recent economic development activities and to update the Board on the economic development planning process. No action requested.
- 10:45 E. Travis Dalton – County Planning Director
RE: Two cell tower applications for placing cell towers in the County.
Action Requested — Vote on cell tower applications.
- 10:55 F. Veterans Service Officer Annual Report
- 11:30 G. General Business
1. Wood Waste Bids for Grinding of the Wood Waste at the Transfer Facility. Bids are due on November 15, 2013, at Noon. A summary of the bids will be presented during the meeting. Action Requested – Vote to award the bid.
 2. Temporary Part-time Cleaning Staff. The maintenance department will be operating with one less staff member for a six-eight week period due to a workers compensation injury. It is requested to be allowed to create a temporary part-time cleaning position to work 21 hours per week at a pay rate of \$9 per hour. This position will be filled only during the six-eight week time frame. No additional funds will be needed due to the fact that the temporarily vacant full-time position will receive pay through worker’s compensation instead of the County. Action

- Requested – Vote on the request to create a temporary part-time cleaning position at a pay rate of \$9 per hour.
3. Roaring Gap Club Insurance Request for Roaring Gap Deputies and Budget Amendment. Due to the change in legislation, Roaring Gap Club no longer can directly provide health insurance to the two Roaring Gap Deputies. They are requesting that health insurance be provided for the two Roaring Gap Deputies through the County’s health insurance plan. Roaring Gap Club will reimburse Alleghany County for these costs. Included in the packets is Budget Amendment General Fund #7 in the amount of \$9,969.
Action Requested – Vote on Budget Amendment General Fund #7.
- H. Commissioner Business
1. Smoky Mountain Center Proposed Board Members—Chair Cox
Action Requested – Vote on the Proposed Board Members
 2. TDA Parkway Letter—Commissioner Leys
Action Requested – Vote on the proposed letter.
- I. Commissioner Comments
- J. Public Comments—30 minutes
- J.2. Closed Session—NCGS 143-318.11 (a) (3)—legal (added)
- K. Adjourn

Commissioner Leys made a motion to approve the minutes from the October 28, 2013, and November 4, 2013, meetings. Commissioner Smith seconded the motion. Vote 5:0.

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

Commissioner Smith and Rita Miller talked about the debt set off program and there is no fine imposed but it has reached the 10 year point that they can’t be collected.

Chair Cox and Rita Miller effort has been made for collection for 10 years. They talked about the situs error.

Commissioner Leys and Rita Miller 700-800 is the debt set off amount.

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

Rita Miller presented the October auto refunds.

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

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

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

Rita Miller presented the October real property releases.

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

Rita Miller presented the October real property refunds.

Commissioner Smith made a motion to approve the October real property refunds. Commissioner Goudreau seconded the motion. Vote 5:0.

Rita Miller presented the October 2013 collections’ report, the enforced collection report and the payment agreement report.

David Bare, Jail Captain, talked about how the Jail needs a jail management system for booking inmates. He explained the current process using paper and the same information is completed 5 different times. He further explained how much the jail pack software is needed. He reviewed Southern Software’s proposal. He mentioned that this new software will send the information to all of the agencies that needs the information. He continued talking about the

benefits of the software. He explained more about their current system. He reviewed all of the reports that the software will provide. He talked about the software proposal which includes a \$3,749 discount. He said he is requesting the money for the software. He discussed the amount of money the Jail brings in. He explained this cost doesn't count the hardware costs. He further said he will work on getting the hardware costs. He explained the different sources of revenues.

Sheriff Edwards explained that they have been using the sheriff pack software for a long time.

County Manager Don Adams talked about the different software from Southern Software in the Law Enforcement Center. The County Manager and David Bare talked about the sheriff pack and the jail pack and information the deputies need that will be in the jail pack.

Commissioner Smith, Commissioner Leys and the County Manager talked about the revenues that have already been budgeted. The County Manager explained how some monies are budgeted but not all of it and these are additional funds that can be available.

Commissioner Leys asked if new computers are needed. David Bare explained that he knows there will be one at the processing desk and hopes the other computers will be compatible, but the server will probably have to be updated. They discussed the maintenance costs of \$3,400. David Bare explained if the Board approves this he will get them to draw up the contract, and he will get a figure for the hardware. They talked about every 6 months the jail is inspected and the software hasn't been a violation. All officers will be trained on the software. Commissioner Leys said she would like to see the price of the hardware. He reiterated that if it isn't done by the end of the year we lose almost \$4,000.

County Manager Don Adams talked about requesting the proposed contract and the complete price for the hardware and software. He asked if the Board is generally in favor of this.

Commissioner Smith said he is. Commissioner Goudreau said he is very much in favor. Commissioner Davis said he needs the total price.

David Bare said he will work on it, get with their IT person and get a figure on how much it will take for the hardware.

County Manager Don Adams talked about a recent meeting that him, the Sheriff and Commissioner Davis attended regarding the ongoing conversations about providing courthouse security. He listed out everyone that was in attendance at the meeting. Sheriff Edwards said the judge doesn't want to order it but said he would if he had too. The County Manager explained that this is just giving the Board a heads up and Judge Gregory will give us some time. The County Manager talked about the additional resources that will be needed and this will be discussed in the next couple meetings. Sheriff Edwards explained he tried to get volunteers to man the metal detector in order to save money.

Chair Cox and Sheriff Edwards discussed that it will mean more deputies because the existing deputies can't do this.

County Manager Don Adams explained that he can quickly get to 1.5 deputies without putting a lot of thought into it. He talked about how he needs to have more conversations with the Sheriff.

Phil Trew, High Country Council of Governments Director of Planning, presented the High Country Regional Bike Plan. He reviewed the highlights of the Bike Plan including route segments by improvement recommendations with the priorities being 18 South and 21 South to the Blue Ridge Parkway. He reviewed the recreational routes. He explained that they will seek funding for the signage. He talked about the economic impact of the Regional Bike Plan including tourism monies. He explained one recommendation is that the public transportation agencies be able to accommodate bicycles. He further explained the need to work on public service announcements and have educational materials to educate people about bicycle laws. He talked about this is long-term planning and there isn't a lot of money for these projects. He explained the idea is to piggyback on Department of Transportation (DOT) projects to add bicycle improvements as they are designing and planning projects.

Commissioner Leys asked about bike accommodations for the new 21 South project. Phil Trew stated that this is a little late on 21 South. Chair Cox explained that it's his understanding of

the 21 South project that it will be like 21 from Twin Oaks to the Virginia line. She asked what is the law on passing a bicycle on a double line. Phil Trew answered you can't cross a double line.

County Manager Don Adams and Phil Trew discussed what is the safer amount for a bike lane.

Commissioner Leys said she understands it is late on the 21 South project but are there things we can do. Phil Trew explained as soon as this is published he will send it to DOT, and he can talk to them but that money is already budgeted and the project has been designed, but it can be brought to their attention for future conversations/projects. Commissioner Leys said she thinks it is important to pass it quickly to get it in front of DOT.

Commissioner Leys and Chair Cox talked about the committee's work during the last 2 years on the Plan.

Phil Trew explained that he has had a lot of conversations with the Blue Ridge Parkway and they have no intention of having bicycle signage or making any improvements for bicycles.

Chair Cox and Phil Trew talked about existing North Carolina Bike Routes, which are intended to avoid high traffic areas and their Plan was to work on the high traffic areas to make safe connections. They talked about how this is a long-range plan and are trying to get ahead of the game.

Commissioner Leys and Phil Trew talked about advertisements for the Plan including how he will publish 100 copies for the 7 counties, put it on their website, and how the recreational route is in a format that can be shared, and the best way to do that is to get promotional signage.

Commissioner Leys Made a motion to approve the High Country Regional Bike Plan. Commissioner Goudreau Seconded the motion. Vote 5:0.

Clark Hunter, Blue Ridge Development Center (BDC) Manager / Alleghany County Economic Development Corporation Director, talked about the BDC's current occupancy including new businesses, new and existing businesses' work, working with high school students about starting businesses and about ACTV studio being very active and a good tenant. He further talked about two new businesses in the Trojan Village Shopping Center; the BDC continues to work with the Miles Job Fund including the Take a Break from the Interstate project. He encouraged more people to get involved with the Take a Break project. He explained that the Trunk or Treat was a successful event. He explained that their strategic plan has been completed, meeting at Sparta Elementary School (SES) was well attended and explained the next step includes developing the goals and objectives. He talked about the Department of Commerce's International Trade group will be here to hold an export seminar on December 4 at the BDC.

Commissioner Leys said she is getting questions from the community that they would like to see all of the comments from the SES meeting. Clark Hunter said they will be sharing that and figuring out the best way to get it out there. Commissioner Leys talked about how it will be very valuable. Clark Hunter said it was great input to move forward.

Chair Cox declared a brief recess at 11:10am.

Commissioner Davis said he would like to be excused from voting on this next matter because he has been approached by AT&T to potentially have a wireless tower on his property.

County Attorney Donna Shumate read the Rule 21 on the Rules of Procedure.

Commissioner Goudreau made a motion to allow Commissioner Davis to recuse himself from the vote. Commissioner Smith seconded the motion. Vote 4:0.

Travis Dalton, County Planner, presented two separate wireless tower applications; Yellow Tree Tower and Silver Hyde Tower.

Commissioner Leys and Travis Dalton talked about one landowner is present today.

Travis Dalton explained that the first application is for the Yellow Tree Tower, which is proposed to be a 120-foot monopole constructed at a location adjacent to 2873 US Highway 21 N. He explained the second application is for the Silver Hyde Tower, which is proposed to be a 120-

foot monopole constructed at a location adjacent to 431 Antioch Road. He talked about how he has reviewed these applications and they do meet the wireless tower ordinance with the exception of the fall zone, which he will explain later.

Dave Pokela presented a PowerPoint presentation showing information about both towers including the need, existing tower sites, additional proposed tower sites and the location of these two towers for the applications. He provided impact statements to the Clerk.

Commissioner Leys stated that she understands the need but her concern is silver towers. She read a portion of the ordinance about camouflage of the towers and asked would they be willing to do this. Dave Pokela said he checked with American Tower, and yes, the towers can be painted brown.

Chair Cox referred to the specs.

Commissioner Leys asked about holding a public hearing. County Manager Don Adams explained the Planning Board has already held a public hearing and this is for the Commissioners' consideration. She asked how we change that to require it. The County Manager and County Attorney stated it would require holding a public hearing to change the ordinance.

Commissioner Leys stated that she isn't against this but just wants to preserve the mountain views. Chair Cox stated that we are for progress, and he wants to be assured that our citizens are being treated well and fully understands what is involved.

Commissioner Leys asked as a Carolina West customer, will this help her at all. Dave Pokela stated no.

Commissioner Leys and Dave Pokela talked about the actual site size including the fenced-in area. She said the leased area is 100 x 100 and the tower is 120 foot tall.

County Manager Don Adams talked about the fall zone according to the ordinance.

County Attorney Donna Shumate explained the wording in the actual lease documents that addresses the fall zone.

Commissioner Leys talked about wanting assurance about the towers above the ridge line. Travis Dalton explained that these towers aren't on protected mountain ridges and won't be above the ridge line because of the tower locations.

Commissioner Goudreau made a motion to approve the Yellow Tree Tower wireless tower application. Commissioner Smith seconded the motion.

Commissioner Leys reiterated her concern about the brown paint isn't in writing. Dave Pokela said he will ask the County Planner to include it in the Conditional-Use Permit.

Commissioner Goudreau amended his motion to include making the Yellow Tree Tower brown. Commissioner Smith seconded the amendment. Vote 4:0.

Commissioner Goudreau made a motion to approve the Silver Hyde wireless tower application with the addition that the tower be painted brown. Commissioner Leys seconded the motion. Vote 4:0.

Sam Nichols, Veterans Service Officer, presented his annual report explaining what services he provides people with and the number of people he has assisted during the past year. He talked about the backlog with the VA. He further talked about how he has seen a big increase in applying for health benefits due to the Affordable Care Act.

Commissioner Leys stated her appreciation for replacing the flag at the Courthouse.

Chair Cox and Sam Nichols talked about not hearing anything about the VA clinic in Wilkes.

County Manager Don Adams presented the wood waste bids; Bennick \$16,200 and Cana Contracting \$12,500. He talked about going with the low bid and they can start moving in tomorrow.

Commissioner Smith and County Manager Don Adams talked about how we have done business with them in the past, and the County Manager is excited that they can move in tomorrow.

Commissioner Leys and Commissioner Davis talked about when mulch will be available. She talked about making sure it is the same mulch. The County Manager explained that the bid specs included a 2x4 screen.

Commissioner Leys made a motion to award the bid to Cana Contracting for \$12,500. Commissioner Davis seconded the motion. Vote 5:0.

County Manager Don Adams explained that the maintenance department is getting ready to be operating with 1 less staff member for a 6-8 week period due to a workers compensation injury. He explained that he is requesting to be allowed to create a temporary part-time cleaning position to work 21 hours per week at a pay rate of \$9 per hour during this 6-8 week period. He further explained this person will concentrate on the floors and bathrooms in all of the buildings. He said this is the best he can come up with without asking for more money.

Commissioner Smith made a motion to approve the request for a temporary part-time cleaning position. Commissioner Leys seconded the motion. Vote 5:0.

County Manager Don Adams presented a letter from Roaring Gap Club requesting medical insurance for the two deputies that work in that area to be reimbursed 100% of the costs to the County. He explained for years they have declined the County's insurance, and Roaring Gap Club is moving them off of their plan. He presented budget amendment General Fund #7 in the amount of \$9,969 to be reimbursed by the Roaring Gap Club for medical insurance.

Commissioner Leys and the County Manager discussed that the money is coming from Roaring Gap Club rather than out of the fund balance.

Commissioner Leys made a motion to approve the Budget Amendment General Fund #7 in the amount of \$9,969 with the revenue coming from the Roaring Gap Club. Commissioner Goudreau seconded the motion. Vote 5:0.

Chair Cox presented the Smoky Mountain Center Board's (SMC) approved 21-member interim board. He explained the law required this change. He reviewed the members of the proposed interim board. He named the counties that are represented. He reiterated that this is the board that was approved by SMC and is requesting each county to approve the board.

Commissioner Leys said she is happy and glad that Chair Cox is fighting to keep representation on this board.

Chair Cox stated that this will change because there are more mergers coming.

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

Commissioner Leys presented a proposed letter to be signed by all five Commissioners, and the letter has been approved by Tourism Development Authority (TDA). She read the proposed letter about the Blue Ridge Parkway. She named all of the people that the letter will be sent to.

Chair Cox and Commissioner Leys talked about the TDA will not sign the letter but they are in support.

Commissioner Goudreau and Commissioner Leys talked about how Haywood County spent a lot of money to trim the trees. Commissioner Goudreau said that is only one county. He asked if there are others. She stated that she will change it to one county rather than counties.

Commissioner Smith made a motion to approve the signing of this letter with the noted change. Commissioner Goudreau seconded the motion. Vote 5:0.

Commissioner Leys stated that she recently enjoyed a program at the Library and encouraged citizens to attend functions at the Library. She said she attended the Sparta Revitalization Committee's meeting, and the spring banners are coming down and new banners

are going up. She explained she attended Blue Ridge National Heritage in Asheville, and said there are people saying they will help Alleghany County. She explained the meeting, and that she went representing the Miles Job Fund for the Take a Break from the Interstate project. She talked about how this is an economic-development minded group. She said this is a group to pay attention to and work with.

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

Linda Tucker stated she came because of the cell towers, and hasn't done a lot of research about it. She talked about possible dangers of living near a cell tower and things to consider before approving another tower. She reiterated that she doesn't know enough about it. She talked about the number of cell phone towers in the US and people need to think about it before putting towers up. She said they love the small town/beauty, and her concern is the towers will destroy that. She stated that progress is good up to a point but don't want to lose the beauty. She said that they loved to go the Parkway for breakfast but now there is no place to go to the restroom, and she hopes the letter does some good.

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

Commissioner Davis made a motion to enter into closed session under NCGS 143-318.11 (a) (3)—legal at 12:46pm. Commissioner Smith seconded the motion. Vote 5:0.

Commissioner Smith made a motion to adjourn closed session at 1:00pm and reconvened the regular meeting. Commissioner Davis seconded the motion. Vote 5:0.

Chair Cox stated that no actions were taken in closed session.

Being no further business, Commissioner Leys made a motion to adjourn at 1:02pm. Commissioner Goudreau seconded the motion. Vote 5:0.

Respectfully submitted,

Attest:

Karen Evans
Clerk to the Board

Larry Cox
Chairman