

The Alleghany County Board of Commissioners met in regular session on Monday, December 1, 2014, at 6:30pm in the Board Meeting Room of the County Administration Building, 348 South Main Street, Sparta, North Carolina.

Present: Chair Tom Smith, Vice-Chair Karen Leys, Commissioner Larry Davis, Commissioner Mark Evans, Commissioner Bobby Irwin, County Attorney Donna Shumate, County Manager Don Adams, and Clerk to the Board Karen Evans.

County Manager Don Adams called the meeting to order. He explained the reason that he is opening the meeting is because this is the meeting where the Chair and Vice-Chair are selected. He led the Pledge of Allegiance.

Commissioner Smith offered the Invocation.

Commissioner Leys made a motion to approve the agenda for this December 1, 2014, meeting. Commissioner Davis seconded the motion. Vote 5:0.

AGENDA
Monday, December 1, 2014
6:30 PM

- 6:30 Meeting Called To Order, Pledge of Allegiance and Invocation
Motion on Agenda for December 1, 2014, Meeting
Motion on Minutes for November 17, 2014, Meeting
- 6:35 A. Election of Chair & Vice-Chair
B. Sheriff's Bond
C. Appoint Clerk to the Board
D. Appoint County Attorney
E. Board Appointments
F. Rules of Procedures
G. Wendy Williams – E-911/Mapping Coordinator
1. Present information regarding new road name; Best Way.
2. Public Hearing – Chairman open public hearing to receive comments regarding the proposed new road name. Chairman close public hearing after receiving comments.
3. Action Requested – Vote on the proposed road name.
- H. John Blevins –Social Services Director
RE: New Child Protective Services Caseworker Position. North Carolina has provided additional funding to Counties to add a child protective services position. It is requested that an additional Social Worker IA&T (Grade 72 - \$41,736.05) position be added. No additional County funds would be needed for current FY 14-15. \$4,531.88 in County funds will be needed for FY 15-16.
Action Requested – Vote on the request to add a Social Worker IA&T position.
- I. General Business
1. Juvenile Crime Prevention Council Board Appointment
Request to appoint Joel Stamper to serve on the Juvenile Crime Prevention Council.
Action Requested – Vote on the appointment.
2. Farmland Preservation Program Board Appointment
Request to appoint Roger Williams to serve on the Alleghany County Voluntary Farmland Preservation Program.
Action Requested – Vote on the appointment.
3. Electronic Recycling Update in Solid Waste Plan
Update added language to Plan that certified vendors will be “R2 or e-Steward” certified through the State and deleted the actual name of the vendor to be replaced with the wording of “a certified vendor”.
Action Requested – Vote on the update.
4. Open Law Enforcement Center Positions
Current policy requires approval from Board of Commissioners to fill full-time vacant positions prior to actual appointment. Newly elected Sheriff Bryan Maines will be inducted into office December 1, 2014. Traditionally newly elected Sheriff's will rapidly experience some personnel turnover during the

initial transition. It is requested that the Board approve the filling of all vacant positions that occurs within the Sheriff's transition period.

Action Requested – Vote on the request.

J. Public Comments—30 minutes

K. Commissioners Comments

L. Adjourn

Commissioner Davis made a motion to approve the minutes for the November 17, 2014, meeting. Commissioner Evans seconded the motion. Vote 5:0.

Commissioner Leys made a motion to appoint Tom Smith as the Chair. Commissioner Davis seconded the motion. Vote 5:0.

Chair Smith stated his appreciation to the other Commissioners, and said he will do his best.

Commissioner Davis made a motion to appoint Karen Leys as the Vice-Chair. Commissioner Leys seconded the motion. Vote 5:0.

Chair Smith talked about the Sheriff's bond is a bond required by the State and the amount of \$25,000 is what the Commissioners must decide on.

Commissioner Leys made a motion to approve the \$25,000 bond for the Sheriff. Commissioner Irwin seconded the motion.

Commissioner Leys and County Manager Don Adams talked about the type of bond this is.

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

Chair Smith asked Karen Evans if she is willing to remain the Clerk to the Board. She answered yes.

Commissioner Evans made a motion to reappoint Karen Evans as the Clerk to the Board. Commissioner Irwin seconded the motion. Vote 5:0.

Chair Smith asked Donna Shumate if she is willing to remain the County Attorney. She answered yes.

Commissioner Davis made a motion to reappoint Donna Shumate as the County Attorney. Commissioner Irwin seconded the motion. Vote 5:0.

The Board of Commissioners discussed the board appointments with the following changes:

Blue Ridge RC&D	Mark Evans
Council on Aging	Bobby Irwin
Fairgrounds	Larry Davis
High Country Council of Governments	Tom Smith
High Country Workforce Development	Tom Smith
Home & Community Care Block Grant Board	Tom Smith
Juvenile Crime Prevention Council	Mark Evans
Local Emergency Planning Commission	Tom Smith
Smoky Mountain Center Advisory Board	Bobby Irwin
Partnership for Children	Mark Evans
Joint Committee with Board of Education	Mark Evans/Bobby Irwin

County Attorney Donna Shumate advised the Commissioners to wait to make an appointment on the New River Service Authority Board until the Board can meet in closed session to update the new Commissioners on the current litigation.

The Board agreed by consensus on the appointments.

Chair Smith talked about the Rules of Procedures. He mentioned the section under regular meetings. He asked if the current schedule for the regular meetings works with everyone or does the schedule need to be changed. The Board agreed that the current schedule is fine.

Commissioner Irwin asked about meetings that fall on a holiday. Chair Smith explained at least two weeks prior to the meeting, the Commissioners reschedule those meetings. Chair Smith discussed Rule 21, Duty to Vote and explained the current language that it is the duty of each member to vote unless excused by a majority vote. Chair Smith also mentioned that a member who fails to vote, not having been excused, shall be recorded as voting in the affirmative.

Commissioner Leys made a motion to approve the Rules of Procedures as written. Commissioner Evans seconded the motion. Vote 5:0.

Wendy Williams, E-911/Mapping Coordinator, presented one new road name; Best Way. She explained the location of the road.

Chair Smith and Wendy Williams talked about this individual owns all of the property for the new road.

Chair Smith opened the public hearing at 6:53pm regarding the new proposed road name and asked for public comments. None were received. He closed the public hearing and reconvened the regular meeting.

Commissioner Irwin made a motion to approve the new road name. Commissioner Evans seconded the motion. Vote 5:0.

County Attorney Donna Shumate mentioned the board appointments need a formal vote.

Commissioner Leys made a motion to approve the board appointments previously discussed at this meeting. Commissioner Davis seconded the motion. Vote 5:0.

John Blevins, Social Services Director, explained that his topic is a time sensitive matter, and this is about information he presented at the last meeting. He summarized how the State appropriated new monies for child protective services because of issues across the state where Social Services workers are working with too many families. He explained a study was completed by the State that found 30 counties have more than 10 families per social workers so they are providing monies to these counties. He stated that these are recurring monies. He explained the amount is \$39,314 for this fiscal year and \$52,419 for next fiscal year. He said that the State requires an answer by December 15. He explained that this fiscal year there will be no costs to the County, 2015/16 costs to the County will be \$4,531.88, which could be potentially be alleviated some through the MAC funding. He reiterated that this is the most the worker would cost. He explained that we haven't had any problems in Allegheny County but they are worked hard, the demands on social workers are increasing. He said if we don't do this and something happened then it could put the County in an interesting position regarding liability. He stated that he hopes the Board can vote on this tonight in order to let the State know.

Commissioner Irwin and John Blevins talked about the amount of funding for both fiscal years including the recurring amount. Commissioner Irwin clarified that the request is to approve \$4,531.88 for next year. John Blevins answered yes. They talked about the reason for not waiting until next year to ask is because the State is requiring an answer. They further talked about this would be committing County budget money to finish filling this position for the worst-case scenario amount of \$4,531.88.

Commissioner Irwin asked the County Manager if the County has the money if the worst-case scenario occurs. County Manager Don Adams explained that he would view it as a commitment if the Board approves this tonight, the County's fund balance is over 20%, and he will present the Commissioners a balanced budget taking into consideration this amount. They talked about the County Manager would not recommend a tax increase over the \$4,531.

Commissioner Leys and John Blevins talked about the excess revenue from this year and the State has not committed to answer that question about whether it is rolling over or not to next year.

John Blevins asked everyone to remember why this position is needed; our children.

Commissioner Leys talked about a situation in Union County that occurred regarding a child negligence case. She talked about our worker/family ratio is 1:12 and with this offer from the

State plus the large liability if the County turn downs this money. She mentioned Wilkes County had experience with this.

Commissioner Leys made a motion to approve this new CPS case worker position using the recurring monies with an additional \$4,531.88 to fund this position next year.

Commissioner Irwin asked are we legally in trouble right now because the 1:12 ratio. Commissioner Leys explained the State wants the ratio down to a 1:10 ratio, and additional liability that could occur if these monies are turned down and something happened.

County Attorney Donna Shumate said she agrees and assured everyone that it will cost more than \$4,531 to defend the liability.

Commissioner Irwin and John Blevins talked about the excess in the DSS budget that goes to the General Fund. County Manager Don Adams explained that it all runs through the General Fund. The County Manager explained the DSS budget and used foster care as an example.

Commissioner Evans asked about the years after 2015/16. John Blevins said the State has told them that it is recurring monies. John Blevins provided an example of monies provided by the State 9-10 years ago, the County still receives those monies, and the State has cut a lot of things but hasn't touched that one. Commissioner Evans asked have they provided any information about what happens if we don't take it. John Blevins answered no they haven't said anything about the damages if we don't.

Commissioner Leys restated her motion that is on the floor. Commissioner Davis seconded the motion. Vote 5:0.

John Blevins talked about an article in the Wilkes newspaper, he interviewed for the Director's position in Wilkes County, Wilkes County Commissioners are considering the salary tonight, he has told them that he will accept it if the salary is approved, will work through the end of the month because he will start in Wilkes the first January. He said he will come back to the next meeting with his board chair asking for permission to fill his position. He explained that he likes his job here but he has to think about his family. He thanked the Board for their support.

Chair Smith stated he has enjoyed working with him. He and John Blevins talked about might know tonight or tomorrow but as soon as he knows he will let the County Manager and his board knows. They talked about he will stay until the end of December.

Commissioner Evans said thank you to John Blevins for what you have done. He stated that he hates they aren't going to work together very long. John Blevins said thank you, and that he has tried to be very mindful of spending public dollars.

Commissioner Leys stated her appreciation to John Blevins and said it is a thankless job, but she wanted John Blevins to know how much he is appreciated.

Commissioner Leys asked does the County have to wait two weeks, can't we have a special meeting. County Manager Don Adams explained that John Blevins works for the Social Services Board and the County's involvement is setting the pay for the position. He explained the standing policy of the Commissioners approving the advertising of the position to be filled, and it is up to the Commissioners if the Board wants to authorize the advertising contingent upon his resignation. He said that it has been standard through all of the positions that the starting salary is the beginning of the grade, and anything else has to come before the Commissioners. He stated that it is up to the Board about filling the position.

Commissioner Leys said she would like for the Commissioners to go ahead to approve allowing the Social Services Board to start advertising for the position.

Commissioner Evans added contingent upon his resignation.

Commissioner Irwin and John Blevins talked about Social Services doesn't have an assistant director; and Lisa Osborne fills in when John Blevins is out but she doesn't have any authority.

Chair Smith talked about the proposal of the Commissioners voting to fill the position contingent upon the resignation.

Chair Smith made a motion to fill the position contingent upon his resignation.
. Commissioner Evans seconded the motion.

Commissioner Irwin asked does John Blevins have someone that can step in for a little while. John Blevins answered that Lisa has too much on her plate as it is, and some counties hire an interim.

Chair Smith talked about the position would need to be advertised. County Manager Don Adams explained that this action would be saving two weeks by allowing them to go ahead and advertise and having the discussions on how to fill the gap between the directors.

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

County Manager Don Adams presented a letter from Kay Luffman, Chair of Juvenile Crime Prevention Council (JCPC) requesting that Joel Stamper be appointed to serve on the JCPC.

Commissioner Leys, County Manager Don Adams and Chair Smith talked about there has been a lot of turnover on this board.

Commissioner Leys stated her appreciation for his willingness to serve on this board.

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

County Manager Don Adams presented a letter from the Allegheny County Voluntary Farmland Preservation Program requesting that Roger Williams be appointed to serve a three-year term on that board.

Chair Smith and County Manager Don Adams talked about two boards similarly named; Farmland Preservation Plan Board and the Farmland Preservation Program Board. The County Manager explained the differences between the two boards.

Commissioner Irwin talked about this is the program that has been in place for several years.

Commissioner Leys made a motion to approve the request. Commissioner Evans seconded the motion. Vote 5:0.

County Manager Don Adams talked about annually the Clerk has to submit reports about the Transfer Facility to the State, and one report is requiring an update to the Solid Waste Plan about the electronic recycling. He read the wording changes to the Plan regarding electronic recycling.

Chair Smith and County Manager Don Adams talked about this is the only updated language in the Plan.

Commissioner Leys made a motion to approve the wording changes. Commissioner Irwin seconded the motion. Vote 5:0.

County Manager Don Adams talked about we have a new sheriff, Bryan Maines, who was sworn in this morning, and there will be some changes made in personnel. He explained that this is the first time with a new Sheriff with the policy in place that all positions must be approved before filling. He provided examples of people moving around in departments at the Law Enforcement Center. He said some changes will be occurring, and it will take the Sheriff the next month to get these changes made. He stated that it is requested that the Board approve the filling of all vacant positions that occurs within the Sheriff's transition period. He explained that the choice could be to make the person part-time then come ask the Commissioners about filling the position then making the person full-time.

Commissioner Irwin clarified that he is keeping the same number of employees and the same salary. The County Manager answered yes, provided examples and said that all of these changes will occur within current policies.

Commissioner Leys and County Manager Don Adams talked about the length of time with the vast majority taking place this month and could be some transition in January.

Commissioner Irwin made a motion to approve the request. Commissioner Leys seconded the motion.

Commissioner Evans asked about putting a timeframe on this action.

Chair Smith said we aren't talking about anything new, or how many people, just filling the positions.

Commissioner Irwin stated this isn't creating any new jobs, it's just allowing him to fill the positions with current people or someone else.

Chair Smith talked about the timeframe, and aid he assumes it's a lengthy process.

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

Chair Smith opened the floor for public comments. None were received. He closed that portion of the meeting.

Commissioner Davis welcomed Commissioner Evans and Commissioner Irwin to serve on the Board.

Commissioner Evans thanked everyone for a good first night and is looking forward to serving the people of the county. He stated his appreciation to the Clerk and Attorney for staying with us.

Commissioner Irwin said that he happy to be here and to be working with everyone. He stated he looks forward to it.

Commissioner Leys talked about it is an honor and privilege to be sitting here with this fine group, and stated she looks forward to working with Bobby and Mark. She said she would like to recognize the youth in the audience and thanked them for their attendance.

Chair Smith mentioned the Code of Ethics in the Commissioners' packets to be looked at the Commissioners' leisure.

Chair Smith mentioned the Allegheny High School football team going to Robbinville to play in the finals for the West, and Allegheny has never had a team that has gotten this far in the playoffs.

Being no further business, Commissioner Davis made a motion to adjourn at 7:50pm. Commissioner Leys seconded the motion. Vote 5:0.

Respectfully submitted,

Attest:

Karen Evans
Clerk to the Board

Tom Smith
Chair