

The Alleghany County Board of Commissioners met in regular session on Monday, December 12, 2011, at 6:30pm in the Board Meeting Room of the County Administration Building, 348 South Main Street, Sparta, North Carolina.

Present: Chairman 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.

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 and a silent prayer.

County Manager Don Adams talked about an item that needs to be added to the agenda by Commissioner Smith; JCPC letter.

Commissioner Smith made a motion to approve the amended agenda for this December 12, 2011, meeting. Commissioner Roten seconded the motion. Vote 5:0.

AGENDA
Monday, December 12, 2011
6:30 PM

- 6:30 Meeting Called To Order, Pledge of Allegiance and Silent Prayer
Motion on Agenda for December 12, 2011, meeting
Motion on Minutes for November 21, 2011, meeting
- 6:35 A. Public Comments—30 minutes
B. Election of Chair & Vice-Chair
C. Appoint Clerk to the Board
D. Appoint County Attorney
E. Board Appointments
F. Rules of Procedures
G. Melinda Kupner
RE: Community Collaborative
H. Linda Hash
RE: Farmland Protection Plan
I. General Business
1. January 2 and January 16 Meeting Dates
2. 2012 Joint Meeting Schedule with the Sparta Town Council
3. JCPC Letter (added)
J. Commissioners Business
1. TDA Update and Recommendation for Chairman—Commissioner Goudreau
2. SBI Investigation into New River Service Authority—Commissioner Goudreau
3. NC Council/Conference—Commissioner Richardson
K. Adjourn

Commissioner Roten made a motion to approve the minutes for the November 21, 2011, meeting. Commissioner Cox seconded the motion. Vote 5:0.

County Manager Don Adams opened the public comments' portion of the meeting and asked for public comments.

Shane Atwood invited the Board to attend "The Den" at Lawson Support Services on December 21, which is their open house event. He talked about he is providing a proposal from Lawson Support Services to store/archive the old mental health records at half price of the other proposals. He explained that they already have the e-notes medical record system that New River used. He talked about Lawson Support Services has served Alleghany and the surrounding area as a comprehensive mental health services provider for 10 years, and they have never asked for a vehicle or any equipment from any of the counties. He explained how State/Federal funding rates include transportation in the reimbursement rates. He further explained the possibility of getting paid twice for services because of being a private provider. He talked about no one is entitled to free stuff. He said that Smoky Mountain Center's Brian Ingraham was quoted in the Watauga newspaper last week saying that items were bought with State monies belong to Smoky Mountain Center. He provided handouts to the Board.

Dennis Smith talked about at the last meeting the County Manager talked about two requests received to create a list of all boards that the Board of Commissioners, the County Manager and the County Attorney serve on; he said he was one of those people who asked. He said to go back to Fall 2010 and the fluoride conversation. He explained he was able to obtain a letter from Appalachian District Health Department to Bryan Edwards stating that Ken Richardson was the chairman of the Appalachian District Health Department and the letter said that the Health Department had discussed the fluoridation issue on June 22, 2010. He explained that this was a learning experience to him; up to that time he had trusted Ken Richardson. He further explained if not for that letter he would not have known that he was the chairman of the Health Department, a vote was finally taken and Ken Richardson was the only vote for fluoride. He talked about at that same meeting during a farewell speech it was noted that Ken Richardson served on 24 boards so he requested a list, and it turns out there is 28 boards that the Commissioners serve on with 9 for Ken Richardson. He explained that he talked to the County Manager who said a request would have to be made so he made the request. He said he doesn't see that it is so hard. He further said he wanted to learn what everyone serves on. He went back to the fluoridation issue; serving the interest of that particular board over the citizens that would be drinking the water is his reason for asking. He explained that the other part of the request was who was compensated. He asked what if one Commissioner was on the boards that were paid and no others were paid, what if one Commissioner didn't serve on many boards, would that be right. He stated that Lawyer Walker said the minutes would show it, so he went to the minutes. He named how many boards were mentioned during each year for 2003 to 2010. He said if all boards are not listed then how will the public know how many State boards the Commissioners serve on. He used a couple of examples of boards that Ken Richardson serves on with the State. He asked who Ken Richardson is serving. He said to remember what he said that Alleghany County didn't have any representative on New River when he was the chairman. He quoted Ken Richardson's statement about serving as their chairman. He said one has to wonder if Ken Richardson is using his elected seat to gain power and prestige in the State. He talked about at the last meeting Ken Richardson seemed eager to penalize Mr. Collins for something that Mr. Collins didn't know anything about. He said that Mr. Richardson doesn't seem to have a problem for Mr. Collins to pay the penalties for something he didn't know about but when it comes to New River then Mr. Richardson isn't being held accountable for his association but instead he is rewarded with a vacation in Pinehurst. He said that according to the agenda Ken Richardson will talk about the conference. He asked that Ken Richardson state how many times he has been to Pinehurst and whether he advised Brian Ingraham to sue New River to force them to give the cars to Daymark. He talked about this is another reason for the public to know. He further talked about according to what the County Attorney said you don't have to disclose what boards you sit on outside of the county appointments, just because the law doesn't state it doesn't mean you shouldn't do it. He provided an example; Commissioner Smith's wife works at the Health Department and Ken Richardson is her boss because he is on the Health Department board so doesn't that create a conflict of interest. He talked about whoever serves on the Health Department should not be the chairman. He asked the Board to adopt a disclosure policy that requires each Commissioner, County Manager and County Attorney to list all boards they serve on along with compensation, made available and updated on the website. He said he asks the Commissioners to remove Ken Richardson from the Health Department board and Smoky Mountain Center, regional water authority board and to elect Commissioner Goudreau or Commissioner Roten as Chairman of this board. He talked about this meeting marks one year since the vocal prayer was taken out. He asked are we as a county better than we were a year ago. He said looking over the past year was that a wise decision. He read a prayer offered in the US Senate.

Brandon Hawks talked about he has another book for the Commissioners to read. He further talked about for a while now he has been talking to the Board about the role of government plus economic development. He said he wants to talk about topics that aren't covered very much like private property rights and welfare. He talked about there are three things that makes the free market system; sound money, limited government, private property rights, and all three have been ignored and welfare has expanded. He explained that the private property rights he is talking about is not just the actual land that someone owns but is everything that someone owns. He further explained that by taking it by any means is theft. He talked about traveling to several other states and politicians have ignored the private property rights. He said this has created looters and moochers. He said that Daymark is a perfect example because they use force to get the things that they want. He talked about the past budget had no or little debate, financial situation across the country, inflation is getting worse, current economic development situation, read the bible where it says if man does not work man does not eat. He said that he isn't against charity, he wants to help those who cannot help themselves. He explained he is here tonight because he is mad because everyone gets bailed out but his family. He used an example of HUD and their programs. He talked about honor those who work hard not those who are not ashamed. He stated that Daymark walked away with more money. He said he is tired of government officials not standing up. He further said

he doesn't want a handout. He said that he wants our rights as private citizens to be respected and equal opportunity for all. He talked about conversations later in the meeting about the seat of chairman and asked that the Commissioners think and think hard/long. He said he has heard a rumor that public comments may go to one meeting per month which if that happens he will only get louder, not quieter. He invited everyone in the room to attend the Alleghany County Tea Party meeting this week on December 15 in the Blue Ridge BDC conference room.

Chris Huysman talked about there is a very simple solution to Brandon Hawks' point about the rumor regarding public comments; make a motion to preserve the public comments during all of the public meetings.

Susan Miles stated that her comments are her opinion and she isn't saying anything on behalf of any groups. She said that she is extremely pleased with the silent prayer which will allow each person to say whatever they want. She talked about recent actions in the community where a lot of people are praying for Luke Hampton. She explained that nobody has been telling people how to pray but to just pray. She talked about the willingness of the five Commissioners. She said it has been a hard year. She talked about the need to think of good ways to work together because there are a lot of counties that do not allow public comments, and she is pleased that this Board does. She urged everyone to please go forward to get things done not at a stalemate. She stated that we have experience that we can get monies to Alleghany County but it takes meetings and time spent out of Alleghany County. She listed out things that consumes the Commissioners' time outside of the two meetings a month. She thanked the Commissioners for spending that extra time. She talked about the commissions and other decisions to be decided on tonight, please move forward and try to work through the turmoil.

County Manager Don Adams asked for additional public comments. None were received. He closed the public comments' portion of the meeting.

Commissioner Smith said he nominates the current Chair for another term. He listed out reasons why he is making this nomination.

Commissioner Smith made a motion to retain the same Chair. Commissioner Cox seconded the motion.

Commissioner Cox talked about he thinks Mr. Richardson has kept the lines of communication open and provided examples. He further talked about there is no one else sitting here with the experience or that wants it. He said that a lot of people will make it a popularity contest or picking sides, which it isn't.

The Board voted on the motion on the floor. Vote 3:2 (John Goudreau, Steve Roten).

Commissioner Cox said that he thinks Tom Smith has done a good job as Vice-Chair, and doesn't see anyone else jumping forward. Commissioner Cox made a motion to retain the same Vice-Chair.

Commissioner Smith said he if there is another person that would like to be the Vice-Chair; please step up, he would not have a problem with it.

Chair Richardson seconded the motion on the floor. Vote 5:0.

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

Commissioner Goudreau made a motion to reappoint Donna Shumate as County Attorney. Commissioner Cox seconded the motion.

Chair Richardson asked Donna Shumate if she is willing to continue. She answered yes.

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

Chair Richardson talked about the list of board appointments, and said if there are no discussions he asks if there is a motion to leave the board appointments as they are.

Commissioner Roten asked one more time for Chair Richardson to step down from the Smoky Mountain Center board.

Chair Richardson said the request is noted. He further said that he feels like he has served the citizens who need the services and doesn't see anything that he has done wrong. He said that he would like to continue to serve. He explained that he has talked to one of the Commissioners about when the time comes that it is appropriate for him to step down then another Commissioner will serve.

Commissioner Roten reiterated that he is not saying Chair Richardson has done anything wrong but there is a conflict.

Commissioner Goudreau said he echoes those concerns and thinks it is the right thing to do for the citizens of Alleghany County. He further said this would be appropriate. He talked about he would be happy for anyone to serve on that board.

Chair Richardson listed reasons for him to remain on the Smoky Mountain Center board. He said at this point he doesn't have a reason to step down unless the majority of the Board thinks he should step down.

Chair Richardson asked for a motion to leave the board appointments as they are.

Commissioner Smith asked is this list not available.

County Manager Don Adams answered yes it is.

Commissioner Cox mentioned that CJPP will be coming to an end on June 30, 2012.

Commissioner Roten stated that is correct.

Commissioner Cox talked about the New River Service Authority will be coming to an end also some time this year which will be two changes occurring through the year. He talked about some of these are active and some aren't. He provided an example of a board that has only met one time.

Commissioner Cox made a motion to accept the list as is. Commissioner Smith seconded the motion. Vote 3:2 (John Goudreau, Steve Roten).

Chair Richardson asked how the Board wants to proceed with the rules of procedures.

Commissioner Smith talked about a previously mentioned rumor about the public comments. He said he hasn't heard that. He talked about he thinks it is a good idea to have public comments.

Chair Richardson talked about the State law requires public comments once per month but this Board has always had two.

County Attorney Donna Shumate stated that is correct.

Chair Richardson talked about the timeframe for the public comments.

County Attorney Donna Shumate explained that the requirements are for one public comment period of 30 minutes per month.

Chair Richardson asked how the Board wants to proceed.

Commissioner Goudreau said that he agrees with Commissioner Smith's comments about public comments. He further said he would like to see more interaction.

Commissioner Cox talked about counties around us have rules of 2-3 minutes, and he doesn't think the Board should sit up here with a stopwatch. He said that he wants people to come talk but hopes that it would pertain to county business.

County Attorney Donna Shumate said she has researched that aspect, and the Board can limit it to items that pertain to county business.

Commissioner Cox made a motion to adopt the rules of procedures. Chair Richardson seconded the motion. Vote 5:0.

Melinda Kupner came before the Board to talk about a community collaborative program, asked the Commissioners get involve with this and attend the meeting. She talked about a sheet in the Board's packet that explains what they are trying to do. She explained that this committee is trying to focus on gaps and the youth. She invited the Commissioners to attend their meetings, which is on the first Thursday of each month at the Blue Ridge BDC. She said that she would like for some of the Commissioners come and get involved. She talked about the speaker that is coming to their next meeting.

Commissioner Smith and Melinda Kupner talked about they meet at Noon for about two hours.

Commissioner Cox and Melinda Kupner talked about Dana Blevins who works with Smoky Mountain Center and how their funding is done.

Chair Richardson talked about hopefully some of the Commissioners will attend their upcoming meeting.

Commissioner Goudreau said he will do his best to be there.

Commissioner Cox thanked her for telling the Board. He said he didn't know about it.

Melinda Kupner talked about this was formed by New River; System of Care.

Linda Hash, Administrator Director/Conservationist II, came before the Board to seek support for a grant that she has been working on that will be great assistance for the farming community. She explained that the deadline is December 15, and the Soil and Water board will meet in the morning at 7:30am. She reviewed the history of the farmland preservation program. She explained that the Initial grant of \$15,000 is for the farmland protection plan. She talked about the grant requires a 30% match but after this grant there will not be a match because of our tier level. She explained the purpose of the grant. She provided statistics for Alleghany County's agriculture ranking compared to the rest of the counties.

Teresa Herman explained that the Extension Service has offered their in-kind support for the grant.

Linda Hash reviewed the commitment form and explained that the grant already has commitments with the exception being from the County and the Soil and Water board. She named everyone that has made commitments towards the grant.

County Manager Don Adams reviewed her request of \$1,000 from the County to use towards the required 30% match.

Linda Hash talked about it will take a year to get the plan completed. She further talked about it will take 450 hours to get the plan developed. She said that she has copies of the grant if anyone would like to see it.

Commissioner Smith and Linda Hash talked about 41 counties have this plan in place. Linda Hash talked about this opportunity is huge for us to get more grant monies to provide more jobs. She stated that they will not find out until June whether the grant is awarded. She explained that Alleghany County does have a voluntary farmland program. She further explained the difference and what could be accomplished from the plan.

County Manager Don Adams asked will this plan require land-use planning. Linda Hash explained that this plan is to support and carry out farmland protection not enforcement. She further explained that it is not any type of a land-use plan, just to preserve farmland. She talked about Soil and Water is able to administer the grant. She continued reviewing things the grant can help with. She said that she sees it as a way to bring in more agriculture businesses.

Commissioner Roten made a motion to appropriate \$1,000 towards this if the grant is awarded. Commissioner Cox seconded the motion. Vote 5:0.

County Manager Don Adams talked about the next two meetings, January 2 and January 16, are both County holidays. He asked the Board how they would like to proceed.

Chair Richardson asked about moving the meetings to the next day, January 3 and January 17.

Commissioner Roten made a motion to move the meetings to January 3 and January 17. Commissioner Smith seconded the motion. Vote 5:0.

County Manager Don Adams presented the proposed meeting schedule with the Town of Sparta. He reviewed the dates/locations of the meetings; January 30—County Administration Building, April 30—Sparta Town Hall, July 30—County Administration Building, October 29—Sparta Town Hall.

Commissioner Cox made a motion to adopt the meeting schedule with the Town of Sparta. Commissioner Goudreau seconded the motion. Vote 5:0.

County Manager Don Adams talked about a letter from Kay Luffman, JCPC Chairman, about the State has reduced their allocation, and they are asking for the County's match of \$323 not be reduced because of the hardship created by the State. He reviewed the funding allocation for the JCPC program showing the funded programs and their amounts. He explained that the contract language is the County has a 20% cash match to the State's allocation. He reiterated their request.

Chair Richardson and County Manager Don Adams talked about this money is already in budget.

Commissioner Goudreau and County Manager Don Adams talked about the contract would not have to be amended.

Commissioner Smith made a motion to leave the \$323 funding in place. Commissioner Roten seconded the motion.

Commissioner Cox asked about the monies in the beginning of the fiscal year. The County Manager Don Adams explained that this happens almost annually because the State provides a number then after the State's budget is adopted then that number is adjusted.

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

Commissioner Goudreau provided an update on the Tourism Development Authority; met last week and recommending that Jim Connor be the Chairman, John Kilmartin the Vice-Chairman and Charlie Scott the Secretary. He said he will get copies of the sample bylaws to the Commissioners and asked for suggestions before their next meeting on January 3, 2012.

Chair Richardson asked do the Commissioners need to vote on the officers. The County Manager said the Board needs to vote on the Chairman.

Commissioner Roten made a motion to approve the appointment of Jim Connor as the Chairman. Commissioner Cox seconded the motion. Vote 5:0.

Commissioner Goudreau talked about the previous request to the SBI to investigate New River. He further talked about the County Attorney sent a letter on behalf of the Board to the SBI in the Hickory office. He said that today the Commissioners received a letter from the District Attorney Tom Horner wanting to wait until the results of the forensic audit by Martin Starnes is received. He further said that he is a little concerned because the longer we wait the muddier the water.

Commissioner Cox talked about we need the report from Martin Starnes as soon as possible. He said that the New River board meets tomorrow. He explained that he has spoken to the Sheriff about this, too.

Commissioner Goudreau said that our official point is the Commissioners are still asking the SBI to investigate.

Commissioner Cox agreed and said that the other counties are looking at the same action. He explained that he had requested it to each county.

Commissioner Goudreau talked about waiting until the results are received from Martin Starnes then move forward.

Chair Richardson said he had requested the next topic to be on the agenda. He provided papers to the Commissioners about an Agenda at a Glance that showed the topics of the

conference. He explained that there was almost 800 people in attendance from throughout North Carolina gathered in Pinehurst, making it the largest mental health conference in the State. He talked about what was encouraging to him was that there were citizens and CFAC members in attendance. He talked about the CFACT members, individuals who come to these meetings, see the discussions and receive the trainings. He further talked about on December 15 CFAC will be at the Wellness Center about the 1915 (b) (c) waiver, and he encouraged the Commissioners to attend. He named the types of people who were there including Shane Atwood and Lawson Support Services. He said he thinks this is important if you are going to follow what is going on with mental health, three days was a long time to be away, and it started on Monday. He explained that he also has a packet of information available that was handed out. He said that he felt like it was a good conference. He talked about the mental health program, and the Deputy Secretary spoke to them about the State's financial situation. He further talked about hearing from Billy West where they are trying to take a \$25,000,000 budget down to a \$12,000,000 budget without hurting consumers.

Being no further business, Commissioner Goudreau made a motion to adjourn at 7:58pm. Commissioner Cox seconded the motion. Vote 5:0.

Respectfully submitted,

Karen Evans
Clerk to the Board

Attest:

Ken Richardson
Chairman