

The Alleghany County Board of Commissioners and the North Carolina Department of Transportation held a public hearing on Tuesday, December 14, 2010, at 6:30pm in the Board Meeting Room of the County Administration Building, 348 South Main Street, Sparta, North Carolina. This meeting was held to discuss the 2009-2011 Secondary Road Construction Program.

Present - County: Vice-Chair Tom Smith, Commissioner Larry Cox, Commissioner John Goudreau, Commissioner Steve Roten, County Manager Don Adams and Clerk to the Board Karen Evans.

Present – NC Department of Transportation: Scott Gallman, Bonnie Sapp, Carolyn Hudson and Teresa Woodle.

Vice-Chair Tom Smith called the meeting to order at 6:30pm and turned the meeting over to the County Manager.

County Manager Don Adams explained how these meetings normally proceed by having the North Carolina Department of Transportation's (NCDOT) explain the program then take questions from the County and the public. He introduced Scott Gallman, who is the County Maintenance Engineer for Alleghany and Yadkin counties.

Scott Gallman introduced the NCDOT staff. He started explaining the program for FY 2009-2010 and FY 2010-2011 by reviewing the funding allocations and stated that the 2010-2011 allocation is only the anticipated amount so it can go up or down depending on the State budget. He explained how the priority system works and is updated every four years with this program being based on the 2009 ranking. He reviewed how they count every structure on the road and issue points accordingly with the highest point roads being first on the priority list. He continued explaining the program including the roads that would be paved for FY 2009-2010 and FY 2010-2011. He further explained spot stabilizations, paved road improvements, replacement of small bridges with pipes and safety projects categories. He stated that the secondary road program is subject to the availability of funding, right-of-ways, and environmental review. He reiterated that the proposed funding allocations are projections, continuing down the priority list to fund additional secondary road projects if additional funding is available and continuing down the priority list if secondary roads cannot be paved due to the inability to obtain right of way.

Scott Gallman asked for questions from the County.

County Manager Don Adams asked how many roads there are currently on the hold list.

Scott Gallman stated that Alleghany County has 88 unpaved roads for 64.2 miles, and close to half of those are on the hold list because right of way cannot be obtained. He explained how roads get off the frozen list.

Commissioner Smith asked about unpaved spot improvements.

Scott Gallman explained that this is more than typical maintenance needed on gravel roads.

County Manager Don Adams asked about the paving money because the previous bad winter there was a lot of existing roads that had pavement issues.

Scott Gallman explained that they cannot move these secondary road paving monies because these are set by the North Carolina General Statutes (NCGS). He further explained that the General Assembly would have to amend the NCGS to allow the use of the money to fix the existing paved roads.

County Manager Don Adams and Scott Gallman talked about the allocation of \$50,000 for other paved and unpaved road improvements could be used but nothing else in this program.

Scott Gallman opened the floor for questions from the public.

Jane Ebert along with Lloyd Joyce talked about problems they have on Clark Hop Road and the low water bridge on Ridge Glen Road. She talked about Clark Hop Road is a gravel road that intersects with Ridge Glen Road near the Little River low water bridge. She explained that Clark Hop Road has 11 homes with 4 full-time residents and 2 businesses plus the use by the part-time homeowners on a routine basis. She talked about issues that occur with flooding and

on average the bridge floods three/four times a year including recently, which affects both roads to the point that they cannot get out. She asked what would happen in an emergency. She further talked about since NCDOT paved Ridge Glen Road the traffic has greatly increased, and the need to look at the integrity of the bridge. She explained recommendations that they have regarding Clark Hop Road/Ridge Glen Road including raising the roadbed and bridge to be in standard compliance, request a structural engineer review the bridge, eliminate flooding of Clark Hop Road which has created erosion of the road/riverbanks and upgrade Clark Hop Road to a paved road. She asked the Board to prioritize their request due to the environmental and safety concerns.

Lloyd Joyce talked about how the situation is on Clark Hop Road. He explained that he was going to relocate his business to this area but has to come up with a better way to access Clark Hop Road. He further explained what happens when the road floods of NCDOT will move the logs from one side of the bridge to the other side to allow them to float further down stream. He talked about NCDOT dumped three loads of gravel just to get the road open and took the road closed signs now today. He asked if it is legal to just throw the logs over to the other side like that.

Scott Gallman said NCDOT has a bridge department and that is how they normally deal with logs. He explained a timeline about the road including he was in Raleigh on November 30, came back early on December 1 just to look at that road and bridge, looked at the structure, called the bridge engineer, they came up on December 2 and said that it is structurally fine, notified the environmental office. He further explained that their goal is to make Clark Hop Road passable but they cannot touch the riverbanks until they receive permission from DENR, Fish & Wildlife in Raleigh and Army Corp of Engineers. He talked about meeting with the environmental office and came up with plans for the road and on December 10 verbally agreed to fix the road. He further talked about not being able to get the road fixed with the current weather. He explained that he talked to the bridge program manager in North Wilkesboro about getting this bridge on the replacement schedule. He further explained the bridge schedule and timelines. He talked about this falls in the Transportation Improvement Plan (TIP). He said he will be glad to tell them who they need to talk to and he will assist them however he can.

Lloyd Joyce reiterated the issues with the road and the bridge.

Scott Gallman explained that there is a limited number of ways to fix it because of the stream banks. He talked about raising the bridge is a long-drawn out process and having to get the bridge on the bridge replacement schedule. He further talked about they are going to build the road back the way it was as soon as the weather breaks.

Lloyd Joyce and Scott Gallman talked about getting right of way to address the road, and Mr. Gallman said he will be glad to meet them out at the road location.

Mr. Ebert thanked Bonnie Sapp for her help and what has been done. He talked about the road continues to drop off and asked if there is something to do to stabilize the area until it is fixed.

Scott Gallman explained that they need to reestablish the bank and it may help to stabilize it with rocks but that cannot be done right now because of the weather.

Mr. Ebert stated that they certainly appreciate anything that can be done.

Scott Gallman said he will send someone out to look at the situation again tomorrow.

Jane Ebert and Scott Gallman talked about part of the secondary roads construction program that is used as emergency money for unplanned things. He explained that they used to get \$500,000 but now it is only enough to cover emergencies.

County Manager Don Adams talked about the TIP will be coming up soon and the Commissioners will have conversations in the next couple of months where the Commissioners can put this bridge in as a safety project/bridge project. He further talked about the Commissioners can make a request to NCDOT to do a feasibility study of this area. He also addressed the wood in the river comments; Alleghany County does have a licensed compose facility, and he knows that NCDOT runs into problems about where to put the wood. He explained that as a licensed compose facility; if the County gets over a certain size then DENR gets involved. He further explained that there is only one river that is protected in Alleghany

County; New River. He said that some residents want the logs dropped over to the other side and others don't.

County Manager Don Adams and Scott Gallman talked about the ranking of Clark Hop Road is #14 and will be on the program in the next couple of years.

Commissioner Roten and Scott Gallman talked about the possibility of realigning the road but the biggest problem with secondary roads is obtaining right of way since NCDOT cannot buy any right of way because it isn't Federal monies.

Jane Ebert stated that  $\frac{3}{4}$  of Clark Hop Road is here at this meeting.

Commissioner Roten stated that will be the fastest solution.

Mr. Ebert talked about making Clark Hop Road useable and damming of the area with the wood is just adding to the existing problem.

John Sherrill discussed Cleary Road. He said that Clark Hop Road needs some help and Cleary Road doesn't but it is on the list to pave. He asked NCDOT not to pave Cleary Road. He talked about Cleary Road was on the 2008-2009 program for partial funding. He said he has the only full-time residence on the 2.85 miles of Cleary Road. He talked about the State is going to spend \$1,200,000 for this road. He further talked about Mr. Gallman is in a bind because of what the NCGS, which needs changing. He explained that his family bought the land in the 50s; one of his neighbors bought their land in the 50s. He named three neighbors who don't want the road paved. He asked why NCDOT is paving the road when no one wants it paved. He said that he will not give the right of way and named the neighbors that won't give the right of way either. He further said that if a portion is paved then it will dump traffic onto the gravel portion. He talked about what can be done about not having the road paved. He referred to NCGS 136-44.8 (c) and (d) allows the Board of Commissioners to recommend deviations at a later public hearing. He provided copies of the NCGS to the Board. He said that in order to recommend deviations the Board has to vote to consider the matter a later public meeting, advertise the public meeting in the local paper, hold the public hearing and after the hearing, state specific reasons for the recommended deviation. He read eight specific reasons for deviating. He reviewed information that NCDOT has on their website about what is a paving priority. He continued talking about reasons for the road to not be paved.

John Sherrill and Scott Gallman talked about the average daily traffic count on Cleary Road and how they arrive at that number. They also talked about what is considered a thru road.

John Sherrill continued reviewing his eight reasons for deviating on Cleary Road. He asked the Board that this road not be paved because it is not in the public's interest and asked the Board to deviate from the priority listing that NCDOT presented and replace Cleary Road with a road where paving is needed. He also mentioned that one property on Cleary Road is in a conservation easement. He reiterated the request to deviate from the priority list and take it off.

County Manager Don Adams explained actions that the Board of Commissioners can do.

Commissioner Roten talked about if the right of way isn't signed then the road doesn't get paved.

Scott Gallman talked about the simplest method is to not sign the right of way then it goes on the hold list.

John Sherrill, Scott Gallman and the County Manager talked about the partial funding aspect of Cleary Road.

Scott Gallman and County Manager Don Adams talked about when the right of way department contacts the property owners to discuss right of ways.

Scott Gallman explained that the total points for this road are 50.5 and the points are calculated in Raleigh in a database, and they don't assign the points here.

John Sherrill and Scott Gallman talked about the number of points on Clark Hop Road is 42 but Mr. Gallman stated that NCDOT has to follow the list. Mr. Sherrill agreed but said that the Board of Commissioners can deviate from the list.

County Manager Don Adams reminded everyone that the key word is recommend. He talked about additional steps involved in the NCGS.

Scott Gallman stated that the NCDOT Board would have to get involved for any deviation.

John Sherrill read the NCGS.

Commissioner Cox and John Sherrill talked about the paved part of Cleary Road currently ends at Dwaine Love's property and Mr. Sherrill's conversations with Mr. Love about not paving the road. Mr. Sherrill talked about the condition of the paved portion of Cleary Road.

Commissioner Cox asked when that portion of Cleary Road was paved. Commissioner Steve Roten and John Sherrill talked about in the late 1990s.

Commissioner Smith and County Manager Don Adams talked about the two choices for the Board is to proceed tonight or put it on the next agenda.

Commissioner Roten and John Sherrill talked about Cleary Road and Meadow Fork Road plus where the pavement ends on both roads. They discussed the number of summer homes on Cleary Road.

Scott Gallman and John Sherrill talked about Mr. Gallman clarifying what is his understanding of which portion of Cleary Road that is on the list and the point system is based on the entire road.

John Sherrill said he doesn't want any of it paved. He said that he hasn't talked to the other people on the road because they are never there. He further said that he doesn't think there is anyone in this room that would think this is spending money wisely.

Commissioner Goudreau and County Manager Don Adams talked about the notice for the public hearing and if the Board is wanting the public hearing on January 3, then the notice would have to go in the paper by Friday or the public hearing could be pushed back to mid-January.

John Sherrill said that he requests the public hearing to be on January 3.

County Manager Don Adams talked about the process.

Barbara Conrad talked about Ward Road while her daughter, Carol, handed out a map showing the property owners on Ward Road. She said that she will say no to paving and will not agree to have it paved. She further said that she doesn't think that she and her family can maintain the damage that will be done by paving. She explained the process where she named the roads in the area. She reiterated that she is against paving. She said to spend the money elsewhere. She talked about she can't keep the rocks out of the ditches now and if they aren't kept clean then the water goes into the road. She further talked about she personally brought culverts then NCDOT put them in place. She said to put this money on the bridge that has been being discussed. She stated her appreciation to Bonnie Sapp for her assistance on her road. She talked about she is trying to maintain several areas because NCDOT hasn't proven to her that they can.

Carol Conrad talked about this is a dead end road having five houses with full-time residents including two that belong to her mother, Mrs. Conrad. She talked about the number of trips per day on the road. She further talked about that her mother is going to let her inherit the old farmhouse, and the new road will go to its steps. She said she called Raleigh and they said if one property owner said no then it would go on the hold list.

Barbara Conrad and Carol Conrad talked about there are two cemeteries next to the road.

Carol Conrad stated her appreciation for everyone's time and for Bonnie's assistance.

Barbara Conrad talked about Cindy Lane was paved five years ago and now her grandpa is on the side of that road.

Scott Gallman stated that no one else requested to speak. He reviewed the three options before the Commissioners regarding this program; concur as proposed, no action or make

recommendations to deviate. He said that they would like a resolution as soon as possible. He thanked everyone for coming.

County Manager Don Adams talked about the multiple requests and reviewed the three options. He talked about if the Board wants to deviate then a motion will be needed.

Commissioner Goudreau made a motion to put on the January 3<sup>rd</sup> meeting a request to deviate from NCDOT's proposal. Commissioner Cox seconded the motion.

Commissioner Roten talked about only on Cleary Road because he concurs with the rest of the proposed program.

Commissioner Goudreau talked about making recommendations and his intent is to shift money from Cleary Road to Clark Hop Road.

Commissioner Roten talked about they have a list that they have to follow.

County Manager Don Adams talked about naming Cleary Road, Ward Road, Clark Hop Road and any other roads as deemed appropriate.

The Board voted on the motion on the floor. Vote 4:0.

Commissioner Roten made a motion to adjourn the meeting at 8:10pm. Commissioner Goudreau seconded the motion. Vote 5:0.

Respectfully Submitted,

Karen Evans  
Clerk to the Board

Attest:

Ken Richardson  
Chairman