

The Alleghany County Board of Commissioners met in regular session on Monday, January 5, 2009, at 6:30pm in the Board Meeting Room of the County Administration Building, 348 South Main Street, Sparta, North Carolina.

Present: Chair Ken Richardson, Vice-Chair Randy Miller, Commissioner Doug Murphy, Commissioner Milly Richardson, Commissioner Steve Roten, County Attorney Donna Shumate, County Manager Don Adams, and Clerk to the Board Karen Evans.

Chair Ken Richardson called the meeting to order.

Commissioner Steve Roten led the Pledge of Allegiance and opened the meeting with a prayer.

Chair Ken Richardson added closed session (a) (5)—contracts to the agenda.

Commissioner Doug Murphy made a motion to approve the amended agenda for this January 5, 2009, meeting. Commissioner Milly Richardson seconded the motion. Vote 5:0.

AGENDA
Monday, January 5, 2009
6:30 PM

- 6:30 Meeting Called To Order
Pledge of Allegiance and Prayer
Motion on Agenda for January 5, 2009, meeting
Motion on Minutes for December 15, 2008, meeting
- 6:35 A. Public Comments—30 minutes
B. Public Hearing
RE: Property Rights Protection Ordinance Amendment
- C. Kate Cosner
RE: Elections Travel Budget
- D. Alleghany Trail Blazers
RE: Riding Center
- E. Mapping/911 Annual Report
- F. Kathy Murphy
RE: Preliminary Subdivision Plat
Road Guarantee
- G. Randy Blankenship
RE: Department Organization
- H. County Business
1. Personnel Policy—Recruitment
2. Reschedule 1/19/09 Meeting
3. Joint Meeting Schedule
4. Budget Schedule for 2009/2010
5. Resolution—Glade Creek School Water/Sewer Needs Grant
6. PARTF Grant
7. Budget Amendment—Pesticide Containers Grant
8. Budget Amendment—Social Services
9. Legislative Goals/Legislative Liaison
10. Transportation Improvement Plan
11. Other Business
12. Closed Session—NCGS 143-318.11(a)(4)—economic development
(a) (5)—contracts
13. Adjourn

Commissioner Randy Miller made a motion to approve the minutes for the December 15, 2008, meeting. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Chair Ken Richardson asked for public comments.

Melinda Kupner talked about her support of the therapeutic riding center. She further talked about her son's CAP program being cut back at the State level and the needs of the people with disabilities in the County.

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

Chair Ken Richardson opened the public hearing regarding the Property Rights Protection Ordinance amendment at 6:35pm.

Hugh Shepherd asked the Planner if this is the same thing as before.

Kathy Murphy, Planner, read the proposed wording. She talked about the previous definition. They discussed the wording of more than two versus two or more. She talked about the new proposed portion. They discussed a conditional-use permit requires that adjoining property owners be notified.

Hugh Shepherd asked about the mobile home park next to his property, and can the County go back to require a buffer.

Kathy Murphy explained that presently there is nothing the County can do because he did everything that he was required to do. They discussed the neighbor those making changes. She explained that this change will affect future situations.

Chair Ken Richardson and Commissioner Milly Richardson talked about subdivisions and conditional-use permits.

Hugh Shepherd asked can the County tack this one onto the changes.

Commissioner Milly Richardson explained that the subdivision ordinance was adopted first, then the Property Rights Protection Ordinance. She further explained, in this case, the County can't go backwards. She asked if Mr. Shepherd can ask the guy to do this.

Commissioner Doug Murphy asked Mr. Shepherd if he had spoken to this gentleman.

Hugh Shepherd answered no. He stated that he is not one of his favorite people right now. He talked about the difference of being a landowner and a neighbor.

Chair Ken Richardson asked for additional comments. None were received. He closed the public hearing at 6:45pm and reconvened the regular meeting.

Commissioner Milly Richardson made a motion to adopt the ordinance change. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Chair Ken Richardson recognized Larry Taylor for his 29 years of work with Alleghany County.

Kate Cosner, Elections Director, discussed their April conference with expenses not being as much as previously thought and explained why. She talked about they have already paid for their registration. She further talked about transferring \$2,500 from election expense and the transfer will leave \$1,090 in travel for any additional necessary travel. She discussed the certification process for election staff and board members with two people testing in January and two in July, and then everyone will be certified. She stated that this travel will count towards certification.

County Manager Don Adams stated that this transfer normally falls within the duties of his office and the Finance Office. He further stated that when the earlier request came before the Board, the first travel request was approved, but the Board stated that additional travel would need to come back to be discussed.

Kate Cosner stated that this is not any additional County money.

Commissioner Milly Richardson talked about the mileage amount of \$617.

Kate Cosner talked about this is the mileage off MapQuest with two vehicles there and back.

County Manager Don Adams and Clerk to the Board Karen Evans talked about the county car is not available.

Commissioner Doug Murphy asked how many vehicles are going to the training.

Kate Cosner said she figured two but that doesn't mean two vehicles will be going. She explained why she figured for two.

Chair Ken Richardson talked about knowing Don Adams and Kate Cosner; they will take these comments under advisement.

Kate Cosner talked about one of the NCACC legislative goals is to reduce the costs of a second primary. She explained that instant run-off voting is one thing that they are looking at. She further explained how the run-off voting would work, and she will be bringing more information about this.

Chair Ken Richardson explained that he will be representing the County at the legislative goals conference. He asked her to let him know about additional information.

County Manager Don Adams reminded the Board that when the travel came before them the last time, the minutes look like the Board has to approve this next travel.

Chair Ken Richardson talked about this is educating the Board about it, no additional money, and being within the County Manager's authority. He said that it is up to the County Manager and Kate Cosner to work out travel issues.

Commissioner Doug Murphy made a motion to approve the request. Commissioner Randy Miller seconded the motion.

Commissioner Milly Richardson added to consider cutting mileage expense down. Commissioner Randy Miller and Commissioner Doug Murphy agreed.

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

Stacy Evans came before the Board to present information about Alleghany Trail Blazers, a non-profit organization. He explained that they have received their Narha certification. He talked about the number of children in the school system they could help. He showed everyone a DVD presentation of the program. He thanked everyone in the audience that has been involved with the program. He talked about 2,700 people has come through Triple E Stables and Alleghany Trail Blazers. He further talked about the clientele and Board of Directors. He explained that this will be more of an asset as more people become aware. He said that they are not asking for monies but just making the County aware and knowledgeable of this program. He personally welcomed anyone to come to one of the therapy sessions. He talked about their other programs.

Chair Ken Richardson stated his appreciation for the presentation and program. He encouraged everyone to visit the center.

Stacy Evans recognized Jane McCarthy who has worked extremely hard for the program.

Commissioner Doug Murphy and Stacy Evans talked about hiring an occupational therapist and how they currently work with the children.

Stacy Evans provided contact information for the programs; 372-2025 for Alleghany Trail Blazers or www.alleghanytrailblazers.org and the recreational part for the trail rides is www.3estables.com or 372-5366.

Wendy Williams came before the Board to present the annual report for the Mapping/911 department. She reviewed information for the department including their trainings attended and statistics for the number of land combinations/splits, subdivisions, parcels transferred and deeds processed on the mapping side. She presented information regarding the E-911 side including she has recertified as an ENP, 911 upgrades, the number of public hearings held, roads signs made, E-911 addresses assigned, road name changes, address assigned, breakdown of 911 calls showing more 911 calls came from cell phones rather than land lines and the total number of roads and addressed structures.

Commissioner Doug Murphy asked about the legislative goals regarding 911 funds.

County Manager Don Adams stated that the legislation is more restrictive and will provide more local representatives on the 911 board. He talked about they disallowed allocated costs last year and this year they have removed the costs associated with the road signs.

Stacy Evans stated that their Board wants to be considered for any grants that the County can help with in their programs and would like to put in a request for the 2009 budget.

Chair Ken Richardson declared a brief recess at 7:20pm.

Kathy Murphy, Planner, came before the Board to present a preliminary subdivision plat and watershed approval for The Cascades at Fox Hunters Paradise. She explained that the subdivision is a 33.33 acre tract located in the Glade Creek Township being divided into twenty-four (24) lots. She explained the lots in the subdivision and how they will be constructed in compliance with the Subdivision Ordinance. She stated that the property falls within an area designated by the State as a public water supply watershed and shall be developed in accordance with the State's low-density option, requiring a minimum one (1) acre lot. She talked about the requirements for building in this area. She asked the Commissioners to approve this preliminary plat and watershed subdivision application with the following conditions: submittal of an approved Storm Water Drainage Facility Plan and Erosion and Sedimentation Control Plan, District Highway Engineer approval of the proposed entrance, and Health Department approval of proposed private water systems or sewer systems.

Commissioner Doug Murphy made a motion to approve the preliminary plat and watershed application with the stated conditions. Commissioner Steve Roten seconded the motion. Vote 5:0.

Kathy Murphy talked about a road guarantee agreement for the entrance to Three River Partners, Twin Ridge Subdivision. She explained that this is a minor subdivision and they have obtained an entrance permit but it has to be up to DOT Standards. She further explained that they have decided to put up a road guarantee. She reviewed the road guarantee and road installation agreement submitted by the contractor and her estimates. She stated that the contractor's estimate is \$8,673.91, and she is recommending approval of this amount.

County Manager Don Adams talked about the road guarantee is the same document as approved in another situation. He stated that the guarantee is for \$8,673.91, the person gave the County the money in cash, money will be deposited then a budget amendment will be presented and has been approved by the County Attorney.

Commissioner Milly Richardson made a motion to approve the road guarantee. Commissioner Randy Miller seconded the motion. Vote 5:0.

Randy Blankenship, Chief Building Inspector, came before the Board as a follow-up from the last meeting regarding the Board asking why three inspectors are needed since the building industry is down. He reviewed the number of permits/inspections for the last two years. He reminded everyone that it takes six years on average to get to a level three. He stated that Brian Killon is 75% to a level one and Travis Dalton is 50% to a level one. He further stated that he will be retiring. He explained how this is a great time to get the

training done. He talked about this spring, Brian will complete level one and Travis will be 75% done with his level one. He talked about the schedule for the trainings.

Chair Ken Richardson talked about the economy and being short-sided because in the long run it will cost more.

Commissioner Milly Richardson and Randy Blankenship discussed the total income for 2007 and 2008.

Randy Blankenship stated that the County has already invested close to \$20,000 in training in addition to salaries.

Commissioner Milly Richardson talked about this has been very informative.

Randy Blankenship explained the additional information in the packet including the standards.

Commissioner Milly Richardson stated her appreciation for the information. She talked about the need to look at everything.

Commissioner Doug Murphy asked Randy Blankenship when he retires, what level would someone have to be to step in.

Randy Blankenship answered a certified level two. He talked about the timeline for standards versus probations. He said that Brian Killon should have his level two in July 2011, and Travis Dalton should have his level two in September 2011.

Chair Ken Richardson asked if one of these employees went somewhere else, would he come ask for additional help.

Randy Blankenship answered yes. He talked about his priorities during the budget. He talked about the building is going to come back but not like it was. He further talked about missing the perfect opportunity to have an inspections office for the next 25 years.

Commissioner Randy Miller said that he agrees with what Randy Blankenship said that building will come back but not like it was. He stated that Allegheny County is normally one of the last ones to slow down and first to come back.

Commissioner Milly Richardson agreed.

Commissioner Doug Murphy asked about the number of increases in electrical permits.

Randy Blankenship talked about electric permits and the amount of work for each permit.

The Board thanked Randy Blankenship for his presentation.

County Manager Don Adams talked about the previous conversation about how recruitment is done in the County and the Board being more involved.

Commissioner Doug Murphy stated that he has given this a lot of thought. He further stated that he has confidence in the department heads. He said that Randy Miller brought up good point about this being the County Manager's responsibility. He stated that department heads have a better idea of what they need.

Commissioner Milly Richardson asked if a list of applicants is public records.

County Manager Don Adams answered no.

Commissioner Milly Richardson stated so the Board can't get a list of applicants.

County Manager Don Adams said that he can talk with Commissioners about applicants.

Commissioner Milly Richardson said she would like to see the applicants.

County Manager Don Adams asked her to call him.

Commissioner Milly Richardson asked if that is for any commissioner.

County Manager Don Adams answered yes.

Commissioner Milly Richardson and County Manager Don Adams discussed the current practice; department head reviews applicants, selects three to interview, go with the department head's recommendation unless he has questions about the applicants. He talked about if the choices go back to the Board that changes the process.

Commissioner Milly Richardson asked would it be a change of policy for those Commissioners interested to review the applicants and ask questions.

Chair Ken Richardson stated that the Board can do as the Board wishes, but he is not in favor of changing it. He said that if the Board gets into hiring then have to get into firing. He said if there are problems then bring it before the Board.

Commissioner Milly Richardson said she would like an opportunity to look at them and ask questions once the three are chosen.

Chair Ken Richardson stated that no one Commissioner should be able to give thumbs up or down on an applicant.

Commissioner Milly Richardson stated that she is asked why a particular person got a job, and she doesn't have any answers. She talked about having a little more information about why someone is selected. She stated that the Board is elected to guard the taxpayers' money. She said she doesn't have a problem with the County Manager or department heads.

County Manager Don Adams asked what happens when one Commissioner disagrees.

Commissioner Milly Richardson stated that she would express her concern to the other Commissioners, and if no one is interested then she will drop it.

Commissioner Randy Miller talked about the more people you get in the process, the more issues there are. He used an example of being unbiased, and the County Manager makes the best decision on who is being chosen.

Commissioner Doug Murphy and Commissioner Milly Richardson discussed Commissioner Murphy would go to the County Manager if there are problems.

Commissioner Milly Richardson explained that the County does not work like a corporation. She further explained that the County has employees who are hiring employees. She reminded everyone that the Commissioners are the bosses, and are elected to run this business of Allegheny County. She reiterated that the County has employees hiring employees. She said at least the Board could look at the applications to see who is applying.

Commissioner Steve Roten stated that he doesn't think the Board should be doing the hiring per se but should be involved. He further stated that he thinks the Board should look at it once the department head makes their decision and the County Manager approves then the Board should be informed and look at it before the hiring or firing is done. He reiterated that the Board should be involved somewhat and agrees with Commissioner Milly Richardson that the Board shouldn't delegate all of the authority.

Chair Ken Richardson talked about the Board being elected officials, and the Board delegates. He stated that in this task, the Board has delegated that to the County Manager. He said that unless there is a specific case where he didn't follow the correct delegated authority then why change it. He further said that no one has given him

examples showing that the County Manager has done something wrong. He explained that when someone asks him why an individual was hired; he tells them that falls under the County Manager's authority.

Commissioner Milly Richardson stated her nor Commissioner Roten are saying that there has been gross negligence but the Commissioners are accountable to the citizens. She further stated that she thinks the Board should have more knowledge of what goes on. She talked about hiring employees is a major part of the operation.

County Manager Don Adams talked about this is a non-political process, and if the Board goes down this road and turns it into a political process, then the system will be torn down. He talked about if department heads are not involved in the hiring, they won't be as likely to take responsibility for their employees. He reminded everyone that when hiring people the County has to be as fair as possible. He used Randy Blankenship, as an example, who takes responsibility for his people. He talked about the problems created if that balance is turned upside down. He reiterated the need to be careful with that balance.

Chair Ken Richardson and County Manager Don Adams talked about the probationary time being six months.

Chair Milly Richardson talked about if there is a problem during those six months, and then it can be looked at.

County Manager Don Adams said that the Board can go into closed session then if the Board instructs him to fire them, he will.

Commissioner Milly Richardson said since she can look at the applicants, adding one more step of when County Manager and department head makes their final say then go to the Board for final approval.

Chair Ken Richardson said that is a deviation from the current policy.

Commissioner Milly Richardson talked about the Board has the power to fire people then why not the power to hire them. She said she is not aware of a major problem just been asked questions, and when a person does not have the answers they go looking for the answers.

Commissioner Randy Miller talked about you can't do that unless you were involved from the beginning in the interviews and you have to be unbiased.

Commissioner Milly Richardson stated so if one of us knew something, we can't say anything, then the person is hired.

County Manager Don Adams stated that if there was a reason for a person to be fired, that is not something that you would have to instruct him on. He asked how you differentiate between the two extremes. He further asked how can you show being unbiased if you didn't participate from the beginning.

Commissioner Milly Richardson talked about having to have a valid reason why this person cannot be hired.

Commissioner Doug Murphy reiterated who understands the department better than the department head. He said that if he saw something that wasn't being done the way it is supposed to be, he'd be right there with Commissioner Milly Richardson. He stated that he doesn't know what each department does to that degree.

Commissioner Steve Roten asked if someone is fired, then they can file a grievance to the Board.

County Manager Don Adams agreed saying the County has to follow those procedures.

Commissioner Randy Miller said that he doesn't have a problem with anyone looking at the applications. He talked about no more than two at a time. He further talked about if a Commissioner wants to be involved in the process, he doesn't have a problem.

Chair Ken Richardson stated that he cannot vote up or down if he isn't a part of the interview process because what else does he have besides the person's name.

Commissioner Milly Richardson said that it goes back to accountability.

Chair Ken Richardson stated that the Board has delegated that to the County Manager, if the majority of the Board wants to take that away from him and the County Manager has already said he will do whatever the Board wants him to do.

Commissioner Milly Richardson said it sounds like to her that everyone is happy the way it is.

Chair Ken Richardson stated that he doesn't have any problems with how it is being done currently, speaking for himself.

County Manager Don Adams stated that the next meeting falls on a County holiday; January 19, 2009, and typically the Board reschedules that meeting.

Chair Ken Richardson asked about the following Tuesday.

Commissioner Randy Miller made a motion to move the January 19, 2009, meeting to January 20, 2009, at 3:30pm. Commissioner Milly Richardson seconded the motion. Vote 5:0.

County Manager Don Adams presented the joint meeting dates for meeting with the Town Council. He reviewed the process of these meetings.

County Manager Don Adams presented the budget schedule for 2009/2010. He said that normally the Board has one planning session. He continued reviewing the schedule.

Chair Ken Richardson talked about this schedule is important. He asked where the first planning session would be most beneficial.

County Manager Don Adams stated that on February 15 he will get the December sales tax and will have six months of sales tax data.

Chair Ken Richardson talked about having a session in February.

County Manager Don Adams said that he can give very accurate estimates after the 15th.

Chair Ken Richardson asked about the last Monday in February at 5:00pm.

The Board agreed.

Chair Ken Richardson asked does anyone have a problem with the budget schedule.

The Board stated that they didn't have any problems with the schedule.

County Manager Don Adams presented a resolution for the Glade Creek Elementary School water/sewer planning grant and a conflict of interest statement. He stated that Dr. Cox was favorable to use QZAB funds for the required \$5,000 match but the Board of Education doesn't meet until Wednesday.

Commissioner Randy Miller made a motion to approve the resolution contingent upon the Board of Education approving \$5,000 from QZAB. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Chair Ken Richardson asked if any one has a conflict of interest with the resolution or on this matter.

Commissioner Randy Miller made a motion to approve the conflict of interest statement. Commissioner Milly Richardson seconded the motion. Vote 5:0.

County Manager Don Adams presented information regarding the PARTF grant. He said that nothing has significantly changed from the last meeting, \$261,000 grant for the land across the road from Tommy Andrews to turn it into open space to be used for recreation. He said that if the Board wants to proceed, then a public hearing would be needed on January 20. He further said that he asked about the land being used for the match, and it cannot.

Commissioner Randy Miller made a motion to authorize the County Manager to advertise for a public hearing. Commissioner Milly Richardson seconded the motion. Vote 5:0.

County Manager Don Adams presented budget amendment General Fund #22 in the amount of \$366 for the pesticide grant program.

Commissioner Randy Miller made a motion to approve budget amendment General Fund #22 in the amount of \$366. Commissioner Milly Richardson seconded the motion. Vote 5:0.

County Manager Don Adams presented budget amendment General Fund #23 in the amount of (\$29,729) for a state mandated funding reduction in child development. He explained that John Blevins is making adjustments to try to make it through the year. He reminded the Board that things like this are the budget things that are going to hurt the County.

Commissioner Milly Richardson made a motion to approve budget amendment General Fund #23 in the amount of (\$29,729). Commissioner Randy Miller seconded the motion. Vote 5:0.

County Manager Don Adams presented the legislative goals and asked that a legislative liaison be appointed.

Chair Ken Richardson said that if there are items that the Commissioners would like to talk to him about, please do so. He explained that this is our opportunity to have our issues heard.

Commissioner Milly Richardson made a motion to appoint Chair Ken Richardson as Alleghany County's legislative liaison. Commissioner Randy Miller seconded the motion. Vote 5:0.

County Manager Don Adams presented the Transportation Improvement Plan that was presented when comments were heard for the 2009-2015 plan. He explained that they are accepting comments in February for the 2011-2017 plan. He reviewed the previous comments on R-3101, Highway 21; R-4060, Sparta Western Loop; FS-0211A, feasibility study on Roaring Gap Mountain. He asked what the number one priority of the Board is; Roaring Gap Mountain or the western loop with the main emphasis being staying on schedule. He talked about the difference between the Roaring Gap Mountain and the western loop. He further talked about it is a big step to get it funded. He stated that he is looking for recommendations.

The Board of Commissioners talked about the Roaring Gap Mountain being top priority and the safety issues including placing flashing yellow lights at the top of the Mountain.

County Manager Don Adams and Commissioner Steve Roten discussed the flashing lights across the top of the road or something that catches drivers' attention when starting down the Mountain.

Commissioner Doug Murphy talked about having gravel in the drop-off point level with the road.

Chair Ken Richardson talked about in the immediate needs replacing R-3101 with the Roaring Gap Mountain and leaving the western loop where it is.

Commissioner Steve Roten stated that he will be glad to go to the meeting.

County Manager Don Adams talked about the effectiveness of having a retired state trooper talk about the accidents on the mountain. He reviewed the safety projects. He said that he will ask them to break out Osborne Road as a safety concern. He said he will make the other changes.

County Manager Don Adams stated that he has been approached by a person that is going to graduate as a dentist in the summer and providing dental assistance. He explained that this person has family in Virginia and has done an internship with Dr. Johnson. He asked if it is the general consensus of the Board one way or another about offering assistance. He said that he will still go to the Health Department like in the past. He asked if the Board would consider having more conversations on this matter.

Chair Ken Richardson encouraged everyone to consider this. He talked about this will do more to keep people in the county.

County Manager Don Adams said that he will come back to the Board with more information.

Commissioner Randy Miller said that he and Doug Murphy had a meeting with the Board of Education representatives and hopes to come back with more information at the next meeting.

Commissioner Doug Murphy talked about there is an obvious need.

Commissioner Steve Roten talked about the planning meeting on Wednesday.

Chair Ken Richardson and Commissioner Steve Roten talked about how long the meeting should last.

Commissioner Randy Miller made a motion to go into closed session at 8:45pm under NCGS 143-318.11 (a) (4)—economic development and (a) (5)—contracts. Commissioner Milly Richardson seconded the motion. Vote 5:0.

Commissioner Randy Miller made a motion to adjourn closed session at 9:28pm and reconvene the regular meeting. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Chair Ken Richardson stated no decisions were made during session.

Being no further business, Commissioner Doug Murphy made a motion to adjourn at 9:30pm. Chair Ken Richardson seconded the motion. Vote 5:0.

Respectfully submitted,

Karen Evans
Clerk to the Board

Attest:

Ken Richardson
Chairman