

The Alleghany County Board of Commissioners met in regular session on Wednesday, January 23, 2008, at 3:30pm in the Board Meeting Room of the County Administration Building, 348 South Main Street, Sparta, North Carolina.

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

Chair Ken Richardson called the meeting to order.

Chair Ken Richardson explained that Clerk to the Board Karen Evans is attending school and won't be in attendance at this meeting.

Commissioner Randy Miller led the Pledge of Allegiance and opened the meeting with a prayer.

Chair Ken Richardson stated that Item I, Glade Creek Volunteer Fire Department, needs to be deleted from this agenda.

Commissioner Milly Richardson made a motion to approve the amended agenda for this January 23, 2008, meeting. Commissioner Randy Miller seconded the motion. Vote 5:0.

AGENDA
Wednesday, January 23, 2008
3:30 PM

- 3:30 Meeting Called To Order, Pledge of Allegiance and Prayer
Motion on Agenda for January 23, 2008, meeting
Motion on Minutes for January 7, 2008, meeting
Motion on December Tax Releases & Refunds
- 3:35 A. Public Comments—30 minutes
B. Mary Walker
RE: Corrected Tax Refund
C. John Blevins
RE: IAT Social Worker & Budget Amendment
D. Kate Cosner
RE: Referendum Budget Amendment
E. Randy Blankenship
RE: Inspections Budget Amendment
F. Sheriff David Edwards/Belva Miller
RE: Governors Crime Commission Grant & Budget Amendment
G. Senior Services Annual Report
H. Alleghany Group Homes Annual Report
I. Glade Creek Volunteer Fire Department Annual Report (deleted)
J. John Brady
RE: Sparta Teapot Museum Update
K. Kathy Murphy
RE: Final Plat Approval
L. County Business
1. Schedule Budget Planning Meeting
2. Planning Board Appointments
3. Smoking Policy—County Facilities
4. Fuel Oil Request for Bids
5. Sign Ordinance
6. Middle School Brochure
7. Other Business
8. Closed Session—NCGS 143-318.11 (a) (3)—legal
NCGS 143-318.11 (a) (6)—personnel
9. Adjourn

Commissioner Doug Murphy made a motion to approve the minutes for the January 7, 2008, meeting. Commissioner Milly Richardson seconded the motion. Vote 5:0.

Commissioner Milly Richardson made a motion to approve the real property releases and refunds for December. Commissioner Randy Miller seconded the motion. Vote 5:0.

Commissioner Randy Miller made a motion to approve the auto refunds and releases for December. Commissioner Milly Richardson seconded the motion. Vote 5:0.

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

Mary Walker, Tax Administrator, presented a tax refund for Chris Barnes. She explained that the refund went to the January 1 owners; the Cartretts, rather than the Barnes's who actually paid the taxes. She further explained the original check was never cashed and returned to the County.

Commissioner Milly Richardson made a motion to approve Mary Walker's request. Commissioner Doug Murphy seconded the motion. Vote 5:0.

John Blevins, DSS Director, came before the Board to present budget amendment General Fund #15 in the amount of \$2,000. He explained that this is a donation from the Alleghany Motor Racing Association and will be used for children in crisis. He stated his appreciation for the donation.

Commissioner Milly Richardson made a motion to approve budget amendment General Fund #15 in the amount of \$2,000. Commissioner Randy Miller seconded the motion. Vote 5:0.

John Blevins discussed issues with the pay plan and how it is affecting Social Services employees. He explained that this involves four positions and three classifications; Social Worker Supervisor at a grade 73, Social Worker III at a grade 69 and Social Worker IAT at a grade 68. He further explained that vacancies have occurred in these positions and according to the current pay plan; a one-year employee will go over a long-term employee in pay. He talked about each step requires more education and more experience with the IAT position being a higher position than Social Worker III. He stated that the State recommends a grade 70 for the IAT position and the Social Services Board supports that action.

Commissioner Doug Murphy and John Blevins discussed the State's recommendation of a grade 70.

County Manager Don Adams explained the actions and discussions when the State starting discussing the IAT position.

Commissioner Randy Miller made a motion to reclassify the IAT position to a grade 70. Commissioner Milly Richardson seconded the motion. Vote 5:0.

Kate Cosner, Elections Director, came before the Board to discuss budget amendment General Fund #16 in the amount of \$12,957 for the March 11 referendum. She explained that the election expense is \$11,515 with the remaining monies to be used for her assistant to work full-time during one-stop voting and a part-time worker, too. She further explained that she is asking for an additional part-time worker during one-stop voting. She talked about how the referendum calendar overlaps with the May primary calendar. She provided examples of the overlap. She explained activities in her office that have been increasing steadily over the past few years and other areas of changes; State/Federal laws, campaign finance, precinct standards, same-day voter registration. She reiterated the overlap in the calendars and time issues for the existing

three workers. She asked the Board for an additional person during the one-stop voting process for 92 hours making \$5.85.

Commissioner Milly Richardson and Kate Cosner discussed the Commissioners did not talk with the Board of Elections prior to setting the March 11 date about other activities in the Elections office.

Chair Ken Richardson asked the County Manager if this would require an additional budget amendment. County Manager Don Adams stated that he would talk to Kate Cosner about these expenses, and the Board might see another budget amendment.

Commissioner Warren Taylor made a motion to approve budget amendment General Fund #16 in the amount of \$12,957 and approve \$581 for the temporary worker. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Randy Blankenship, Chief Building Inspector, came before the Board to ask for a budget amendment for a computer in the amount of \$1,399. He explained that they have put together a computer from surplus pieces that doesn't work properly and keeps turning off.

Commissioner Milly Richardson and Randy Blankenship discussed contacting Tim Sizemore about getting a computer through his business cheaper than \$1,399.

Chair Ken Richardson and Commissioner Doug Murphy talked about Randy Blankenship checking with Tim Sizemore but going ahead and approving the money in case they can't get the computer through him in order for the Inspections office to not have to wait for another two weeks.

Commissioner Doug Murphy made a motion to approve budget amendment General Fund #17 contingent upon checking with Tim Sizemore to see if he can provide a computer cheaper. Commissioner Warren Taylor seconded the motion. Vote 5:0.

County Manager Don Adams presented budget amendment Drug Fund #1 in the amount of \$325,661. He explained that these monies are mandated to go to the Drug Fund for the Sheriff's use for drug-related expenditures.

Belva Miller explained that this is from something before the current administration, and it has been a long time coming.

Commissioner Milly Richardson made a motion to approve budget amendment Drug Fund #1 in the amount of \$325,661. Commissioner Randy Miller seconded the motion. Vote 5:0.

Belva Miller came before the Board to discuss the Governor's Crime Commission Grant. She explained that they are asking for \$99,593, which requires a 25% match. She further explained that the match will come from the Drug Fund monies. She stated that all of the items are things that they don't have currently. She further stated that she needs the County Manager and Finance Officer to sign the grant application.

County Manager Don Adams reviewed the list of items that they are asking for with the grant; 6-channel receiver, transmitter/digital recorder, tactical receiver, pistols, rifles, armor, trauma plates, drug dog and training, automated fingerprint system.

Commissioner Warren Taylor made a motion to approve the grant application. Commissioner Milly Richardson seconded the motion. Vote 5:0.

Wanda Brooks presented the annual report for Senior Services. She reviewed their program including the foster grandparent program and their in-service training topics and activities for the seniors.

Debbie Welbourn presented information on the Senior Companions program. She explained that this program provides assistance to other seniors who can't get out. She reviewed the types of services, types of trainings and activities.

The Board of Commissioners thanked Wanda Brooks and Debbie Welbourn.

Darlene Douglas with Alleghany Group Homes presented their annual report. She reviewed the different agencies under Alleghany Group Homes and their statistics. She talked about Alleghany in Motion is their primary source of transportation.

Commissioner Doug Murphy talked about how they stretch their money to make it.

John Brady came before the Board to present an update for the Sparta Teapot Museum. He explained the history of the project, having to regroup, Kamm's huge teapot collection, conversations with Sonny Kamm, group couldn't provide what Sonny Kamm wants, and they currently do not have an agreement with the Kamm's. He further explained that the Kamm's have done a lot for the community, and they are still in discussions with them. He talked about having to separate from New River Community Partners and how that has impacted them. He further talked about they have began discussions with others about what could be in the museum. He explained that they realize they haven't done a lot of PR work but they have been in negotiations so they really haven't had anything to report. He stated that they are planning a community-wide event announcing their plans.

Commissioner Warren Taylor and John Brady discussed having a time frame for the project.

Chair Ken Richardson and John Brady discussed the possibility of having discussions with the historical society to be included in the museum.

Commissioner Milly Richardson stated that she has been asked what happened to the \$4,200,000 that was raised.

John Brady explained that the Federal and State monies are for the building, and it has been put in an escrow account. He talked about private donations, and they have accountants that track everything.

Commissioner Milly Richardson and John Brady talked about the project purchased two pieces of property.

Sarah Ross explained that they have a payment plan on the entire property.

Commissioner Milly Richardson stated her disappointment that the house on the corner was trashed, remained standing and is an eyesore.

John Brady stated that they agree and realize it needs to be gone.

Commissioner Milly Richardson stated that she had been told that county money paid for the fence.

John Brady stated that no county money has been used on the project.

Commissioner Doug Murphy and Sarah Ross talked about working with the tourism bureau.

John Brady stated that they will be happy to work with anyone who will work with them.

The Board of Commissioners stated their appreciation for the update.

Kathy Murphy, Planner, presented a final plat for approval for The Bluffs at River

Country Estates showing an 81-acre tract divided into 62 lots. She explained the roads in the subdivision and lot sizes.

Commissioner Warren Taylor and Kathy Murphy talked about the condition of the roads.

Commissioner Doug Murphy and Kathy Murphy talked about the water source for the subdivision.

Commissioner Milly Richardson made a motion to approve the subdivision plat for The Bluffs at River Country Estates. Commissioner Doug Murphy seconded the motion. Vote 5:0.

County Manager Don Adams asked the Board if they would like to schedule a budget meeting after February 18 and before the end of March.

The Board of Commissioners said to discuss this later.

County Manager Don Adams reminded the Board that they appointed a nine-member planning board with an initial one-year term then use staggered terms to get three-year rotating appointments. He reviewed the members and recommended terms according to the member's preferences; Michelle Bedsaul-3 years, Bill Caudill-3 years, Martha Holder-3 years, David Isner-2 years, Jerry Brooks-2 years, Kenneth Brinegar-2 years, Bruce Cook-1 year. He explained that Dan Abernathy and Sharrel Wyatt no longer want to serve on the Planning Board. He reviewed the planning board ordinance stating that there should be one from each township and two at-large members and if there are no applicants from a township, the position may be filled by a resident from another township. He talked about Prathers Creek and Whitehead has a vacancy. He further talked about advertising for these positions.

Chair Ken Richardson talked about attaching terms for the seven people that are interested in continuing to serve.

County Manager Don Adams read the portion of the planning board ordinance stating that the members of the Planning Board shall serve at the pleasure of the Board of Commissioners.

County Attorney Donna Shumate talked about reiterating that point in the motion.

Commissioner Milly Richardson made a motion to appoint the following people to serve on the Planning Board at the pleasure of the Board of Commissioners; Michelle Bedsaul-3 years, Bill Caudill-3 years, Martha Holder-3 years, David Isner-2 years, Jerry Brooks-2 years, Kenneth Brinegar-2 years, Bruce Cook-1 year. Commissioner Randy Miller seconded the motion. Vote 5:0.

County Manager Don Adams read the advertisement for the two vacant positions. He talked about reviewing the applications on the 18th.

County Manager Don Adams explained that there are new laws regarding smoking in County facilities. He further explained the old law versus the new law. He talked about the only exception to no smoking in County facilities are the Jail area and the area behind the Courtroom. He explained why those are the exceptions. He asked the Board to vote to solidify that there is no smoking in existing County facilities with the exception of the Jail area and the area behind the Courtroom.

Commissioner Milly Richardson talked about the need to ban smoking in the Law Enforcement Center to comply with the State law because there are State offices in the facility.

County Manager Don Adams talked about the authority for County facilities are the County's responsibility.

County Attorney Donna Shumate read a portion from the Health Law Bulletin from the School of Government regarding State offices in any area of buildings leased and occupied by the State as lessee.

Commissioner Warren Taylor talked about the need to hear from the Sheriff about the Law Enforcement Center before banning smoking.

Chair Ken Richardson asked about the area at the Courthouse.

County Manager Don Adams explained the reason for having a smoking area in the back of the Courtroom is because a jailer must be with the inmates at all times.

Chair Ken Richardson talked about tabling this until the Sheriff can talk with the Commissioners.

County Manager Don Adams asked about making County-owned facilities smoke free with the exception of those areas.

Commissioner Warren Taylor made a motion to make the County facilities smoke free with the exception of the Jail and the area behind the Courtroom. Commissioner Milly Richardson seconded the motion. Vote 5:0.

County Manager Don Adams presented the request for fuel oil bids. He explained the timeline for the RFB's.

County Manager Don Adams presented the proposed Sign Ordinance that has been approved by the Planning Board. He talked about notification differences if it is passed under police powers or under zoning. He further talked about this ordinance is very detailed, and he questions the Planner's ability to enforce this along with all of the other ordinances. He stated that there are exclusions and exempted signs.

Kathy Murphy talked about changes to the ordinance that the Planning Board made.

County Manager Don Adams explained that any permanent sign is regulated.

Commissioner Doug Murphy asked if the Planner would be the enforcer.

Kathy Murphy explained that there are two sections in the ordinance on enforcement.

County Manager Don Adams reminded everyone that billboards is what started these discussions.

The Board of Commissioners, County Manager Don Adams and Kathy Murphy discussed the process of getting a sign.

Chair Ken Richardson talked about making the ordinance effective on March 1 and grandfathering everything that exists prior to that. He said that he is interested in billboards and their size.

Kathy Murphy stated that the Planning Board made the ordinance more restrictive.

Commissioner Doug Murphy stated his appreciation for the Planning Board's hard work but he would like to have time to read through the proposed ordinance.

County Manager Don Adams reiterated from the staff's standpoint that this ordinance needs more discussions because Kathy Murphy is spending her time enforcing the current ordinances, and the sign ordinance will create staffing issues. He talked about other places have someone that only enforces the sign ordinance.

Commissioner Warren Taylor and County Manager Don Adams discussed the expiration of the moratorium being February 15.

Commissioner Warren Taylor stated that the original intent was billboards. He further stated that he is not in favor of permitting.

Commissioner Doug Murphy asked about the definition of a billboard.

County Attorney Donna Shumate stated that there isn't a legal definition of a billboard but there are industry-standard sizes.

Commissioner Warren Taylor stated that he is hearing that the smaller signs in Piney Creek are not a problem, just the larger billboard ones.

Chair Ken Richardson stated that it is up to the Commissioners to decide the size and everything above that size will be prohibited.

Commissioner Milly Richardson talked about taking the proposed ordinance home to review it.

Chair Ken Richardson asked about scheduling the public hearing to comply with the February 15 date.

County Attorney Donna Shumate stated that after talking to Tom Terrell, the public hearing would have to be advertised for two weeks to pass it under zoning. She stated that the Board doesn't have to adopt what is in front of them but they will have to have a public hearing.

County Manager Don Adams and County Attorney Donna Shumate talked about public hearing requirements. He asked the Board about scheduling the public hearing on February 18. She suggested that the Board could request the Planning Board come up with an alternative.

Commissioner Milly Richardson stated that the Planning Board has come up with their ordinance, and the Commissioners shouldn't send it back.

Chair Ken Richardson and County Manager Don Adams talked about a public hearing on February 18 under zoning.

County Attorney Donna Shumate asked that this topic be discussed at the February 4 meeting. The Board agreed.

County Manager Don Adams presented the Middle school brochure issued by the Board of Education regarding the March 11 referendum.

Commissioner Milly Richardson asked the County Manager if he had shared his concerns with this publication to Dr. Jeff Cox.

County Manager Don Adams explained that his name is on the brochure, and he reviewed the accuracy of the numbers. He reviewed his initial concerns about clarifying the amount of additional money on farm land and short-term/long-term needs. He stated that the information about the school and programming were provided by the Board of Education and Dr. Cox.

Commissioner Doug Murphy stated that he keeps getting asked how much taxes is for the building and how much for the recurring costs.

County Manager Don Adams stated that if property taxes are used to pay for the project it would be 5¢ for the building and 4¢ for the operating expenses for a total of 9¢.

Commissioner Milly Richardson asked about a statement in the brochure stating

that there are other ways to finance the middle school because the Board of Commissioners could call for a referendum on the land transfer tax. She talked about the chance for land transfer tax is slim to none.

Dr. Jeff Cox explained the answer in the brochure and that all of the debt would not have to be property taxes because it could be transfer tax. He said that the projections are around \$400,000 per year.

Commissioner Milly Richardson talked about the transfer tax hasn't passed in any county that has put it to a referendum.

Dr. Cox talked about financing options could include the land transfer tax. He stated that it could off-set a property tax increase with a land transfer tax. He further stated that those counties did not present it to the voters like that.

Commissioner Milly Richardson and Dr. Cox continued talking about the land transfer tax.

Commissioner Doug Murphy talked about using the land transfer tax for infrastructure.

Dr. Cox stated that if it all went on property taxes then it would be 5¢ and 4¢ but there are other options to consider beside property taxes like the land transfer tax and Medicaid relief.

Commissioner Randy Miller and Commissioner Milly Richardson talked about different ways to finance the middle school.

Commissioner Milly Richardson compared the Medicaid relief to the intangible taxes.

Dr. Cox stated that all he can base his figures on is the current situation. He said he doesn't want to scare people away with the 9¢ when there are other options.

Commissioner Milly Richardson talked about being in a recession and it could impact people's ability to pay their taxes.

Commissioner Doug Murphy stated that the Commissioners' job is to present all of the options. He said that he wanted it clarified about the price of the shell building and the price for administration. He further said that Randy Miller brought up to the Commissioners the need to discuss the land transfer issue.

Commissioner Milly Richardson talked about if the referendum passes, this Board's only power is to raise taxes.

County Manager Don Adams stated that just because the referendum passes that is not the last step. He talked about having to go through public hearings, and the process the Commissioners will have to decide on how to fund the middle school. He said that the Board will look at all avenues. He further said that issues will be examined by the Board as they arise.

Clarence Crouse stated that the Board of Education wanted to provide factual information to the citizens of the county. He talked about "could" is the keyword in those statements.

Commissioner Warren Taylor stated that if the General Assembly wanted counties to have land transfer taxes they would have made it available without a referendum.

Dr. Cox stated that these have been fair questions, and they wanted to give an even-handed presentation to the public.

County Manager Don Adams talked about the statement of the land transfer tax could provide the vast majority of the \$7,500,000 and it being viewed as the vast majority of the 9¢ rather than the 5¢. He said what everyone is talking about is vast majority of the building over a period of time.

Dr. Cox and County Manager Don Adams talked about options available to the Commissioners.

County Manager Don Adams stated that this is correct information because these are options that can be looked at when discussing how to fund the middle school.

County Manager Don Adams stated that there will be a retirement party for Jane Wyatt who is retiring after 30 years of service.

County Manager Don Adams stated that Graham Fields with Senator Elizabeth Dole's office will be here on February 4 from 2:00pm to 3:00pm and is inviting everyone to come.

Chair Ken Richardson stated that he wanted to let the Commissioners know that he has been appointed to the North Carolina Teachers Fellows Program.

Commissioner Randy Miller made a motion to enter into closed session at 5:55pm under NCGS 143-318.11 (a) (3)—legal and (a) (6)—personnel. Commissioner Milly Richardson seconded the motion. Vote 5:0.

Commissioner Warren Taylor made a motion to adjourn closed session at 6:18pm and reconvene the regular meeting. Commissioner Randy Miller seconded the motion. Vote 5:0.

Chair Ken Richardson stated that no action was taken during closed session.

Being no further business, Commissioner Milly Richardson made a motion to adjourn the meeting at 6:19pm. Commissioner Randy Miller seconded the motion. Vote 5:0.

Respectfully Submitted,

Karen Evans
Clerk to the Board

Attest:

Ken Richardson
Chairman