

The Alleghany County Board of Commissioners met in regular session on Monday, February 1, 2016, at 6:30pm in the Board Meeting Room of the County Administration Building, 348 South Main Street, Sparta, North Carolina.

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

Chair Smith called the meeting to order, led the Pledge of Allegiance, and offered the Invocation.

Chair Smith stated the following needs to be added to the agenda; 5. March 7<sup>th</sup> meeting location.

Commissioner Leys made a motion to approve the amended agenda for this February 1, 2016, meeting. Commissioner Davis seconded the motion. Vote 5:0.

AGENDA  
Monday, February 1, 2016  
6:30 PM

- 6:30 Meeting Called To Order, Pledge of Allegiance and Invocation  
Motion on Agenda for February 1, 2016, Meeting  
Motion on Minutes for December 15, 2015, January 4, 2016, and January 7, 2016 Meetings
- 6:35 A. Lonnie Joines, VFW Commander  
RE: Request for \$900 to purchase American flags. Action Requested—Vote on the request.
- 6:45 B. Rita Miller, Tax Administrator
1. Tax Collector Report of Unpaid Taxes. This report is for 2015 only. No action requested.
  2. FY 2015/16 Tax Collector Settlement. Sections A and B of this report details the 2015 unpaid taxes. No action requested.
  3. Set Date for Advertisement of Tax Liens. Action Requested – Vote to advertise the 2015 tax liens on April 20, 2016.
  4. 2005 Insolvents. Action Requested – Vote to release 2005 insolvents.
  5. Greg Wright Appeal. Action Requested – Vote on the appeal.
- 7:05 C. Phillip Penny, Mission Critical Partners  
RE: Mr. Penny is appearing before the Board to discuss proposed scopes of work involving proposed communications upgrades. No action requested.
- 7:25 D. General Business
1. Budget Amendment E-911 Fund  
Budget Amendment E-911 #1 in the amount of \$788 to budget for back-up batteries for E911. Action Requested – Vote on the E-911 Budget Amendment #1 in the amount of \$788.
  2. Connect NC Resolution  
Sample resolution to be discussed.
  3. Proposed FY 2016/17 Budget Calendar  
Proposed schedule for the upcoming 2016/17 budget process.  
Action Requested – Vote on setting the budget schedule.
  4. Tourism Development Authority Appointments  
Discussion about recommendations received for the appointments to the Tourism Development Authority. Action Requested – If ready, vote on the new TDA appointments.
  5. March 7<sup>th</sup> meeting location (added)
- E. Public Comments—30 minutes  
F. Commissioners Comments  
G. Adjourn

Commissioner Davis made a motion to approve the minutes from the December 15, 2015, January 4, 2016, and January 7, 2016, meetings. Commissioner Evans seconded the motion. Vote 5:0.

Lonnie Joines, VFW Commander, came before the Commissioners to request assistance for the VFW for the cemeteries' flags. He explained they put flags on the cemeteries in the county recognizing the veterans. He talked about where they purchase the flags in North Carolina and the amount they purchased last year. He further talked about that they are a volunteer organization, and they rely on donations. He asked that the County Commissioners consider any type of assistance. He stated that last year the flags were \$950.97. He talked about several of the cemeteries in the county, their work to remember service personnel and pay their respect. He said they do not have the funding as they have had in the past.

Chair Smith said thank you for your time and the VFW for their efforts.

Commissioner Leys asked what the County did last year. County Manager Don Adams said the request was after the purchase of the flags, but encouraged the VFW to come back at this time to speak about this year's purchase. They talked about the fact that the County did not fund last year's project was because of the timing of the request.

Chair Smith asked are the flags placed by Memorial Day. Lonnie Joines explained they start around the first of April and try to be finished by Memorial Day.

Commissioner Leys said thank you for this project, this is meaningful to many. She talked about the durable flags.

Commissioner Irwin made a motion to approve \$900 for the flags for the VFW. Commissioner Davis seconded the motion. Vote 5:0.

Rita Miller, Tax Administrator, explained that at the first meeting in February she must present all the unpaid taxes for the year. She explained that the report was generated on January 25, 2016, and stated that some taxes have been paid since then. She reported the unpaid amount was \$768,182.39 with a collection rate of 92.13%.

County Manager Don Adams summarized her request in asking the Board for permission to advertise on April 20 all the unpaid taxes.

Chair Smith asked does the Tax Office announce that this advertisement will be happening.

Rita Miller explained they are required to notify the taxpayer and they always do it six weeks before the ad is ran.

Commissioner Leys made a motion to advertise the unpaid 2015 taxes on April 20 as outlined. Commissioner Davis seconded the motion. Vote 5:0.

Rita Miller explained that there is \$4,079.23 left in the 2005 insolvents on personal property, which gives a collection rate of 99.75% for 2005.

Chair Smith and Rita Miller talked about the insolvents list for 2005 including a leasing company where the company had leased equipment to some local businesses somewhere in the county and she has not been able to locate the company for collection.

Commissioner Irwin talked about the small amounts being below \$5 and asked if there was a minimum set by the State, if not he asked could there be. Then he inquired about the cost of postage and paper in obtaining these amounts compared to the actual owed amount. He further inquired if the County could charge an administrative fee on such accounts.

Rita Miller explained that according to the Statutes, it is \$1 and the software that our Tax Office has, is not made for adjustments less than \$5.

Commissioner Irwin clarified it could be done only the Tax Office does not have the programing.

Rita Miller presented the 2005 registered motor vehicles list of insolvents with an amount of \$14,174.37.

Chair Smith and Rita Miller talked about and were in agreeance that after the County has been on the State system for 10 years we would not have the motor vehicles any longer. They discussed the tax collection rate on the motor vehicles.

Commissioner Leys and Rita Miller talked about the amount remaining of \$4,079. They discussed the amount for 2015. Commissioner Leys declared that people pay their taxes and this amount is not unusual, insinuating that the people of this county normally do pay their taxes.

Rita Miller agreed and explained that their staff tries hard to collect the taxes.

Commissioner Irwin informed that the lists are available for anyone. County Manager Don Adams included that the lists are currently online to be viewed.

Commissioner Leys made a motion to approve the 2005 insolvents. Commissioner Irwin seconded the motion. Vote 5:0.

Rita Miller explained that Greg Wright's late application had been approved at the last meeting for 2015 and the refund was in the process for that year. She reminded everyone that he is appealing the 3 years of back taxes that resulted from his audit. She explained the Board's choices in dealing with the appeal.

Louise Paglen said she was not prepared to make a presentation because she thought this was going to be a follow up from the appeal.

Commissioner Leys asked specifically you are appealing years 2012, 2013, 2014.

Louise Paglen said yes, the years of deferred taxes.

Commissioner Leys asked Rita Miller to read about personal liability.

Rita Miller clarified the three things taxpayers must prove are 1) Clerical error 2) Illegal tax or 3) a tax for and illegal purpose.

Louise Paglen provided the Board a Statute about releasing the taxes.

County Manager Don Adams reviewed what is in the Commissioners' packets.

Commissioner Leys asked the County Attorney Donna Shumate what she thought.

County Attorney Donna Shumate said the actions of the Tax Office were according to Statutes as she summarized the Tax Office's actions. She then reviewed language in the North Carolina General Statutes regarding deferred bills and the statute of limitations of 60 days not a year later and reiterated, it is the taxpayer's burden to prove just cause, but has to be within 60 days not a year later. She mentioned that Louise Paglen did not comment on whether he received his 2014 tax bill, which would show the defer taxes were not on it.

Commissioner Leys asked about the 3 reasons to approve the appeal. Rita Miller listed out the 3 reasons; illegal tax, clerical error, tax for illegal purpose.

Commissioner Leys and County Attorney Donna Shumate talked about Mr. Wright knowing he was not getting his mail and did not do anything about it therefore it is not a clerical error on the tax office part.

Chair Smith made a motion for the appeal to be denied. Commissioner Leys seconded the motion. Vote 5:0.

Chair Smith declared a brief recess at 7:02pm.

The County Manager provided Mission Critical Partners' background. He talked about the background of this project including PSAP (public safety answering point), 911, radio communications. He said the Board decided to move forward with the referendum, and he invited them here.

The presentation by Mr. Penny and Mr. Kelly of Critical Partners informed everyone first of their credentials and experience. Then they went into their company's "enterprise zones", all the counties they are currently working with on this same type of project and some other counties in our state that are still discussing their use. They also informed the Board of the three phases of work they would need to go through to meet our needs. They also explained how during the phases the analysis is grouped into teams so the advisors can find the best solution for each situation. They also explained that the entire analysis would take at least 4 months.

County Manager Don Adams then reviewed all the areas in which this analysis will help us meet the standards put out by the 911 Board.

Chris Kelly explained their approach with the radio analysis.

County Manager Don Adams addressed the Board assuming they were all familiar with cellphone coverage maps he explained how this analysis is even more in-depth and will show us very precise locations and solutions for those areas. He added explaining how extremely important this program is to the county he also urged the Board of Commissioners to keep this in mind so that it may be acted on when it is the appropriate time.

Chris Kelly began talking about phase 3 of the program and how they would be a part of helping apply for a grant from the State of North Carolina to help pay for some of the costs.

Phil Penny explained that there is around \$6,000,000 available for these types of projects.

Mr. Penny and Chair Smith talked about the \$6,000,000 and how much of that was actually available for our usage. Mr. Penny agreed it is decreasing as other counties get on board with the change, but that there is still plenty out there.

Commissioner Irwin asked when the grant could be applied for. Mr. Penny explained it opened in February and closes in April and that there are very strict guidelines and processes that must be followed to complete the application.

County Manager Don Adams interjected with looking at where we are now and knowing they need at least 4 months to complete their analysis it would not be an option for us to apply this year, but that we should be set up with everything completed and ready to apply this time next year. He also included that by law the PSAP back up has to be in place by July. He said they would be important next year to work with the 911 board as we are working to get this program going.

Commissioner Irwin asked if we start today when it would be completed.

Phil Penny and Chris Kelly informed the Board that the PSAP assessment would go rather quickly, but the next 2 phases could take 3 to 4 months.

County Manager Don Adams spoke up to recommend trying to match the timeline up with when the County would need to be using their help with applying for the grant.

Commissioner Irwin explained that part of this is the selling point to the citizens to get it up and working as soon as possible.

County Manager Don Adams explained that to do all this the County is going to need the money and are hoping to get the money from the sales tax that is to be voted on in March. He said the money would not be available until after that if it is passed.

Commissioner Irwin asked about taking the money out of the General Fund to pay for the project.

Don Adams explained that the communication project needed to be looked at as a whole, and the revenue has to come in before going into the radio analysis.

Commissioner Leys and Phil Penny discussed how long it would take for the PSAP analysis and conclude that it would take from 1-2 months.

Commissioner Evans said he wanted to clarify that the grant would be to fund the project not the plan.

County Manager Don Adams agreed.

Commissioner Evans inquired, how can we know what funds are needed until we know what we need.

County Manager Don Adams said he quickly put together the cost for 2-4 towers and a simulcast system.

Chris Kelly informs the Board that could be a huge range anywhere from \$200,000-\$1,000,000.

County Manager Don Adams suggests why don't we wait until after March 15 and see what we have to work with then.

Commissioner Evans declares no matter what happens with the tax this needs to be completed, and we want the study done to see what is needed.

Commissioner Irwin said he agrees with Commissioner Evans looking at saving peoples lives he said he wants the numbers in front of him to have all the information.

County Manager Don Adams explained the timeline between now and March 15 does not affect us because it takes 4 months to complete the study. In addition, we cannot apply for the grant until this time next year. He said he determined we have time to get it all figured out.

Phil Penny informed the Board it is required to have a plan in place by July 1.

Commissioner Leys and County Manager Don Adams discussed the timeline of the process and it matching up with the 911 board implementations and the funding from the tax.

Commissioner Irwin asked why should we not go ahead and vote today.

County Manager Don Adams explained we could spend \$15,000 on the PSAP analysis right now and the rest wait until after March 15 to proceed.

Commissioner Leys asked if phase 1 and 2 could be done simultaneously.

Chris Kelly said there would need to be time for people to interview and their team to get things set up to know what is needed.

Commissioner Leys suggested waiting until after March 15 and starting the conversation again then.

Commissioner Ley made a motion to revisit the PSAP assessment after the March 15 vote. Commissioner Irwin seconded the motion. Vote 5:0

Chair Smith declared a brief recess at 8:00pm

County Manager Don Adams presented budget amendment E-911 Fund #1 for \$788 for back-up batteries for E-911. Commissioner Davis made a motion to approve budget amendment E-911 Budget amendment #1 for \$788. Commissioner Evans seconded the motion. Vote 5:0.

County Manager Don Adams presented a resolution in support for the Connect NC bond.

Chair Smith asked to make sure it was the statewide bond and mentioned including the UNC system as well as the community colleges. Commissioner Irwin reviewed more areas of the bond that he thought could be added.

Chair Smith suggested make changes and bring back to the next meeting. He encouraged everyone to look at sample resolutions.

Commissioner Irwin said it is important to get our name on the list of approved supporters.

Chair Smith, Commissioner Irwin, Commissioner Leys, and County Manager Don Adams reviewed the list of changes about adding the state university system, extension service, agriculture, research.

Jayne Phipps-Boger stated that Wilkes Community College would benefit \$5, 200,000, possibly adding an animal science program in Alleghany, and the state park would benefit about \$1,000,000. She explained it would bring dollars into Alleghany through WCC and the parks. She further explained that on the website there is a list of projects for the bond monies, and encouraged people to look at it.

Chair Smith said he is not comfortable signing something that will change and prefers to have the resolution on the next agenda.

County Manager Don Adams presented the proposed FY 2016/17 budget calendar. He reviewed the proposed calendar.

Commissioner Davis made a motion to approve the budget calendar as written. Commissioner Leys seconded the motion.

County Manager Don Adams clarified that the first meeting is June 1 rather than May 31.

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

County Manager Don Adams presented information about the Tourism Development Authority (TDA) members and names submitted for the TDA vacancies. He listed out the names: Tommy Maines, Iboya Pasley, Steve Mason, and Robin Cater. He stated that these were received favorably by the TDA.

Commissioner Irwin added Ginger Collins and Shirley Richardson.

Chair Smith stated that Shirley Richardson would meet the qualifications of a collector.

County Manager Don Adams reminded everyone that at least one appointment must be a collector.

Chair Smith asked for any other nominations. No one spoke.

Chair Smith said he would prefer to wait until the mid-meeting to vote on this.

County Manager Don Adams asked would the Board accept any other nominations between now and then.

Chair Smith said that at some point we need to close it.

Commissioner Irwin made a motion to close the nominations tonight and vote on the individuals mid month. Commissioner Davis seconded the motion. Vote 5:0.

County Manager Don Adams explained that the Board of Elections requested this room for March 2-March 14 for the one-stop, election and he proposed to check with the Town to use the Town Chambers or the County Office Building for the March 7 meeting.

Commissioner Evans made a motion to move the March 7 meeting to the Sparta Town Chambers or the County Office Building. Commissioner Leys seconded the motion. Vote 5:0.

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

Commissioner Leys recognized Ashley Burgess, who she mentoring for her senior project. She talked about meeting with all agencies that work with Smoky Mountain Center, which went well and was very successful. She talked about the County Manager making a presentation about the ¼ ¢ sales tax and did an excellent job. She talked about the Health Department currently having open positions that are required, they are understaffed, and the staff is working a tremendous amount of overtime. She discussed a letter from Mark Wood with the Blue Ridge Parkway asking the County to be part of the 100-year anniversary and working on a 100 hikes to represent their 100 years. She explained that Jim Brown is taking the lead on this project. She said we have agreed to work together and sell this is ¼ ¢ sales tax, Commissioner Irwin has already presented to several groups and Chair Smith has done this as well. She said she needs copies. She provided the timeline for the March 15 election.

Commissioner Evans talked about people can still vote on a provisional ballot and it may or may not be counted depending on the circumstances. He said many people are giving their time on boards and without those folks; we would be a lot different. He encouraged everyone to go vote as well as the youth to get involved.

Commissioner Leys added that you could register to vote if you are 18 years old prior to the November election.

Commissioner Irwin thanked the Town maintenance, County maintenance, DOT, and volunteers for getting all of the snow out of the town. He added they did a great job and worked many hours. He said he appreciates all of the articles from the Alleghany News, they should run a list of what the bond will be for, the ¼ cent sales tax, and to print as much information as possible.

Chair Smith welcomed Lauren Linker being the new clerk.

Lauren Linker said thank you.

Chair Smith reminded everyone of the February 11 meeting at 6:00pm with Wilkes Community College.

Being no further business, Commissioner Leys made a motion to adjourn at 8:39pm. Commissioner Evans seconded the motion. Vote 5:0.

Respectfully submitted,

Attest:

Karen Evans  
Clerk to the Board

Tom Smith  
Chair

Minutes Prepared by:

Lauren Linker  
Administrative Assistant