

The Alleghany County Board of Commissioners met in regular session on Monday, March 19, 2007, at 3:30pm in the Commissioners 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 Manager Don Adams and Clerk to the Board Karen Evans. County Attorney Donna Shumate was absent.

Chair Ken Richardson called the meeting to order.

Commissioner Milly Richardson led the Pledge of Allegiance and opened the meeting with a prayer.

Chair Ken Richardson stated that the water authority agreement needs to be removed from the agenda.

Commissioner Randy Miller made a motion to approve the amended agenda for this March 19, 2007, meeting. Commissioner Doug Murphy seconded the motion. Vote 5:0.

AGENDA
Monday, March 19, 2007
3:30 PM

- 3:30 Meeting Called To Order, Pledge of Allegiance and Prayer
Motion on Agenda for March 19, 2007, meeting
Motion on Minutes for February 28, 2007, March 5, 2007 and March 12, 2007, meetings
- 3:35 A. Public Comments—30 minutes
B. Mary Walker
RE: Tax Release and Refunds
C. Public Hearing
RE: 2007 Scattered Site Grant
D. Craig Hughes
RE: Rural Transportation Advisory Committee
E. Derrick Murphy
RE: Speed Limit on Piney Creek School Road
F. Sandy Walker
RE: 07/08 CJPP Grant
G. LEPC Annual Report
H. Sparta-Alleghany Volunteer Fire Department Annual Report
I. Health Advisory Council Annual Report
J. Sheriff David Edwards
RE: Budget Amendment and Surplus Property
K. County Business
1. Board of Elections Budget Amendment
2. Work First Program Budget Amendment
3. NCACC District Meetings
4. Land Transfer Tax Resolution
5. Water Authority Agreement (deleted)
6. Other Business
7. Adjourn

Commissioner Randy Miller made a motion to approve the minutes for the February 28, 2007, March 5, 2007 and March 12, 2007, meetings. Commissioner Milly Richardson seconded the motion. Vote 5:0.

Chair Ken Richardson asked for public comments.

Darlene Wyatt stated that she is speaking about the land transfer tax. She further stated that the realtor's association group is strongly opposed to this action.

She handed out and reviewed a summary explaining the reasons why they are opposed to this action.

Chair Ken Richardson asked for further public comments. None were received.

Mary Walker, Tax Administrator, presented the February 2007 real property requests in the amount of \$1,579.15 for refunds and \$2,679.95 for releases.

Commissioner Warren Taylor made a motion to approve the February 2007 real property requests in the amount of \$1,579.15 for refunds and \$2,679.95 for releases. Commissioner Randy Miller seconded the motion. Vote 5:0.

Mary Walker presented the February 2007 vehicle requests in the amount of \$472.49 for refunds and \$1,994.67 for releases.

Commissioner Warren Taylor made a motion to approve the February 2007 vehicle requests in the amount of \$472.49 for refunds and \$1,994.67 for releases. Commissioner Milly Richardson seconded the motion. Vote 5:0.

Mary Walker presented a motor-vehicle appeal form for a 2005 Chevrolet pickup. She stated that this vehicle had the wrong VIN from DMV. She explained that her recommendation is \$14,575, which is from the NADA book.

Commissioner Milly Richardson made a motion to approve the Tax Administrator's recommendation of \$14,575. Commissioner Warren Taylor seconded the motion. Vote 5:0.

Mary Walker presented a motor-vehicle appeal form for a 2003 Chevrolet Tahoe. She explained that her recommendation is \$17,885.

Commissioner Milly Richardson made a motion to approve the Tax Administrator's recommendation of \$17,885. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Mary Walker presented a motor-vehicle appeal form for a 2001 Chevrolet. She stated that the assessed value is \$15,350. She explained that her recommendation is \$14,245, which is from the Kelly Blue Book.

Commissioner Warren Taylor made a motion to approve the Tax Administrator's recommendation of \$14,245. Commissioner Milly Richardson seconded the motion. Vote 5:0.

Mary Walker talked about Board of Equalization and Review dates. She stated that the first meeting is on April 3, and appeals are still coming in plus a few taxpayers have requested a day meeting for the Board of Equalization and Review. She asked the Board to schedule dates for at least three more meetings. She reminded the Commissioners that the meetings have to start in April but can go on until whenever but she would like to get done as quickly as possible.

Chair Ken Richardson and Mary Walker talked about dates and times for the meetings.

County Manager Don Adams talked about the sooner the better for the budget.

The Board talked about meeting dates and times. They decided on April 17 and 24 at 6:30pm. Chair Ken Richardson talked about three Commissioners are required to be at the meeting. The Board continued to discuss meeting dates and times. They further decided on April 16 at 2:00pm for the day meeting.

Michelle Ball talked about the State application for the 2007 Scattered Site grant. She stated that they received 27 applications with 24 eligible to receive assistance. She informed the Board that each home was examined, the housing committee met last

week and the committee selected four homes for assistance. She stated that these will be replacement homes. She gave the locations of the homes. She further stated that there is good representation in the county. She said that the State application needs to be submitted by March 30 and the funds should be released in October or November.

Chair Ken Richardson declared the public hearing open at 3:48pm regarding the scattered site program.

Chair Ken Richardson asked for public comments. None were received.

Chair Ken Richardson closed public hearing at 3:49pm and reconvened the regular meeting.

Commissioner Milly Richardson made a motion to approve submitting the application for the scattered site grant. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Craig Hughes with High Country Council of Governments came before the Board to publicly present an award to Warren Taylor for his leadership and guidance. He presented Commissioner Taylor with the 2005-2006 Outstanding Rural Transportation Advisory Committee Member Award.

Commissioner Warren Taylor stated that it is a pleasure to serve on the board. He thanked Craig Hughes for coming to present this award.

Derrick Murphy came before the Board to discuss speeding on the road where he lives; Piney Creek School Road. He stated that his yard is the beginning of the school zone for Piney Creek Elementary School. He further stated that no speed limit sign is posted except the school zone sign. He asked what the process is to get a speed limit sign and a sharp curve sign. He stated that people are going 40-45 mph in the 25 mph school zone.

Commissioner Doug Murphy stated that this isn't just the volume of traffic but the task is to slow down the traffic in case a child darts out in the road.

Commissioner Warren Taylor asked about an earlier request on the same road.

County Manager Don Adams stated that was further down the same road, and he asked DOT to survey the road. He further stated that DOT has studied the road and is posting a recommended speed limit sign but will not reduce the speed limit. He recommended writing a letter to NCDOT and the State highway patrol regarding Mr. Murphy's situation.

Derrick Murphy stated that the signs are posted near the subdivision and the recommended signs for 25 mph are up. He further stated that his neighbors have talked to him regarding this issue.

County Manager Don Adams stated that it might be helpful if a letter is sent from Piney Creek Elementary School and the County.

Chair Ken Richardson instructed the County Manager to write those two letters and get one from Jeff Cox for the school system.

Sandy Walker came to ask for continued support for the Criminal Justice Partnership Program in the amount of \$44,159, which are pass-through monies. She reviewed how the program is beneficial to Alleghany County. She talked about how many people they have served this year and their average success rate is 48%, where the national population success rate is 42%. She stated that this is the same funding as last year. She further stated that the local board has approved this.

Chair Ken Richardson stated that he serves on this board, and the State looks at Alleghany County as a model to see how things are handled here.

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

Gerald Leftwich, Emergency Management Coordinator, presented the annual Alleghany County Local Emergency Planning Committee (LEPC) report. He reviewed the highlights of the LEPC report.

Terry McGrady presented the annual report for the Sparta-Alleghany Volunteer Fire Department. He reviewed the number of members and their levels of certifications, number of training hours, number of fire calls and types, response time, list of expenses and revenues including donations and fundraisers and types of fire trucks they have.

Commissioner Warren Taylor asked about the repairs on the ladder truck.

Terry McGrady stated that it is still in South Boston and should be ready this week. He further stated that the truck should be in good shape for the next inspection.

Lidjea Andrews presented the annual report for the Health Advisory Council. She reviewed the highlights and activities of the Health Advisory Council for the past year.

Sheriff David Edwards stated that Jim Hudson retired a couple of months ago and wants to buy his service weapon. He said that he understands the Commissioners can declare the gun surplus and let Mr. Hudson buy it for a small fee.

Commissioner Milly Richardson made a motion to declare the weapon surplus. Commissioner Warren Taylor seconded the motion. Vote 5:0.

County Manager Don Adams talked about selling the weapon for the nominal fee of a \$1.

Commissioner Milly Richardson amended her motion to include allowing Mr. Hudson to purchase the weapon for \$1. Commissioner Warren Taylor seconded the amendment. Vote 5:0.

County Manager Don Adams presented budget amendment General Fund #25 in the amount of \$348,830 for the Law Enforcement Center. He stated that federal inmates weren't anticipated during budget time. He further stated that the revenues are projected to be \$348,830 for boarding federal inmates, which will decrease the appropriated fund balance by \$92,394. He reviewed each line item and the reason for the request in this budget amendment; part-time salary, over-time, FICA, retirement and utilities in Dispatch; part-time salary, over-time, FICA, retirement, travel in the Sheriff's Department; full-time salary, part-time salary, over time, longevity, FICA, retirement, utilities and food & provisions in the Jail.

Belva Miller explained the auto expense line and uniform line item requests.

Commissioner Milly Richardson and Sheriff David Edwards talked about using local businesses for tires purchases.

Chair Ken Richardson and County Manager Don Adams talked about these are projected numbers.

Belva Miller stated that the revenues are averaging \$38,000 per month with \$197,000 already received.

County Manager Don Adams reminded everyone that the fund balance will be reduced by \$92,394.

Commissioner Doug Murphy asked about the program continuing for housing federal inmates.

Sheriff David Edwards agreed and stated that he is trying to get the reimbursement rate higher to bring in more revenues.

Belva Miller explained that if the County received an additional \$20 per day, it will be an additional \$18,000 per month. She stated that they have maintained 30 inmates since December.

Sheriff David Edwards stated that these inmates are awaiting trial.

Commissioner Milly Richardson made a motion to approve budget amendment General Fund #25 in the amount of \$348,830 for the Law Enforcement Center. Commissioner Doug Murphy seconded the motion. Vote 5:0.

County Manager Don Adams presented budget amendment General Fund #23 in the amount of \$2,432. He explained that this is a grant to purchase bells to be placed at each voting precinct for handicap people to use.

Commissioner Milly Richardson made a motion to approve budget amendment General Fund #23 in the amount of \$2,432. Commissioner Warren Taylor seconded the motion. Vote 5:0.

County Manager Don Adams presented budget amendment General Fund #24 in the amount of \$1,444 for the Work First program. He stated that this is 100% state funded.

Commissioner Warren Taylor made a motion to approve budget amendment General Fund #24 in the amount of \$1,444. Commissioner Randy Miller seconded the motion. Vote 5:0.

County Manager Don Adams presented information regarding the North Carolina Association of County Commissioners (NCACC) District Meetings. He stated that the closest meeting is on April 20 in Caldwell County. He further stated that he is planning to attend, and if anyone is interested in going to let him know. He asked that Commissioners let Karen Evans know they will be attending and she will complete the registration form.

County Manager Don Adams presented the land-transfer tax resolution. He stated that this is from the NCACC's web site. He reviewed the resolution.

Chair Ken Richardson asked for any wording changes.

Commissioner Milly Richardson made a motion to pass the resolution as presented. Commissioner Warren Taylor seconded the motion.

Commissioner Warren Taylor stated that this means the County will have the option for the tax but is not mandated that the Board has to do it.

County Manager Don Adams talked about a number of local bills regarding revenue options and House Bill153 is the best shot. He explained that it is the only statewide bill.

Commissioner Doug Murphy talked about this is one of the options that are out there to help counties and the menu of local options.

County Manager Don Adams stated that House Bill153 has to be done by referendum and is supported by the NCACC.

Chair Ken Richardson talked about sending the resolution to our representatives.

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

Being no further business, Commissioner Randy Miller made a motion to adjourn the meeting at 4:36pm. Commissioner Warren Taylor seconded the motion. Vote 5:0.

Respectfully Submitted,

Karen Evans
Clerk to the Board

Attest:

Ken Richardson
Chairman

Alleghany County

North Carolina

RESOLUTION SUPPORTING LOCAL-OPTION REAL ESTATE TRANSFER TAX

WHEREAS, the property tax is the only source of revenue that counties have control over; and

WHEREAS, the State of North Carolina requires counties to pay 15 percent of the state share of Medicaid – a program for which counties are not allowed to set policy, eligibility criteria, service options or provider rates; and

WHEREAS, the total county share of Medicaid is now projected to eclipse \$517 million during the 2007-08 fiscal year; and

WHEREAS, it is estimated that in the 2006-07 fiscal year Alleghany County will spend \$876,376 or approximately 6.6% of its expenditures for services to Medicaid eligible citizens; and

WHEREAS, other unfunded mandates from the state such as reduced school class sizes are forcing county property tax rates higher; and

WHEREAS, the Department of Public Instruction's School Planning section 2006 Long Range Facility Plans recently identified \$9.7 billion of school facility needs over the next five years, and \$9,119,739 in needs in Alleghany County; and

WHEREAS, seven counties in North Carolina – Camden, Chowan, Currituck, Dare, Pasquotank, Perquimans and Washington – are all authorized by the General Assembly to levy a 1 percent real estate transfer tax; and

WHEREAS, any revenue source that is made available to one county should be made available to all 100 counties; and

WHEREAS, a priority goal of the North Carolina Association of County Commissioners is to seek legislation to allow all counties to enact any or all of several revenue options from among those that have already been authorized for any other county, including local option sales taxes, impact taxes and real estate transfer taxes; and

WHEREAS, the tax is tied closely to the real estate market and generates money to pay for

growth at the time it is needed; and

WHEREAS, a 1 percent local-option real estate transfer tax could generate \$1,115,000 for Alleghany County to help meet the demands for new classroom space and classroom improvements and fund other critical infrastructure needs;

NOW, THEREFORE, BE IT RESOLVED that the Alleghany County Board of Commissioners urges the North Carolina General Assembly to authorize Alleghany County to enact a local-option, 1 percent real estate transfer tax to be used for any lawful purpose capital expenditures.

FURTHER BE IT RESOLVED that copies of this resolution be transmitted to the members of the General Assembly representing Alleghany County and to all 100 counties in North Carolina.

Adopted this the 19th day of March, 2007.