The Alleghany County Board of Commissioners met in regular session on Monday, July 2, 2007, at 6:30pm 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 Doug Murphy led the Pledge of Allegiance and opened the meeting with a prayer.

Commissioner Milly Richardson made a motion to approve the agenda for this July 2, 2007, meeting. Commissioner Warren Taylor seconded the motion. Vote 5:0.

## AGENDA Monday, July 2, 2007 6:30 PM

6:30 Meeting Called To Order, Pledge of Allegiance and Prayer
Motion on Agenda for July 2, 2007, meeting
Motion on Minutes for June 5, 2007; June 6, 2007; June 7, 2007; June 12, 2007; June 18, 2007; June 18, 2007 and June 26, 2007, meetings

6:35 A. <u>Public Comments—30 minutes</u>

B. Public Hearing

RE: E-911 Road Names

- C. County Business
  - 1. Joint Meeting Reminder
  - 2. Farmland Preservation Board Appointments
  - 3. Surplus Sale Update
  - 4. Duncan Recreation Center Update
  - 5. Concrete Plant
  - 6. Other Business
  - 7. Closed Session—NCGS 143-318.11 (a) (6)—personnel
  - 8. Adjourn

Commissioner Warren Taylor made a motion to approve the minutes for the June 5, 2007; June 6, 2007; June 7, 2007; June 12, 2007; June 18, 2007; June 18, 2007 and June 26, 2007, meetings. Commissioner Doug Murphy seconded the motion. Vote 5:0.

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

Wendy Williams, E-911 Coordinator/Mapper, came before the Board to present one road name; Poplar Valley Drive. She explained the road's location.

Chair Ken Richardson opened the public hearing regarding the 911 road names at 6:33pm.

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

Chair Ken Richardson closed the public hearing at 6:34pm and reconvened the regular meeting.

Commissioner Milly Richardson made a motion to approve the road name as presented by the E-911 Coordinator/Mapper. Commissioner Randy Miller seconded the motion. Vote 5:0.

County Manager Don Adams reminded the Board about the joint meeting with the Sparta Town Council scheduled on July 30 at 7:00pm at Sparta Town Hall.

County Manager Don Adams presented a letter from Paul Edwards regarding the reappointment of Bobby Joe Gambill, Milly Richardson and Bobby Evans to the Alleghany Farmland Preservation Program Advisory Board.

Commissioner Warren Taylor made a motion to reappoint Bobby Joe Gambill, Milly Richardson and Bobby Evans to serve on the Alleghany Farmland Preservation Program Advisory Board. Commissioner Doug Murphy seconded the motion. Vote 5:0.

County Manager Don Adams updated the Commissioners regarding the surplus sale held on June 23. He stated that the sale generated \$37,806; \$500 for Transfer Facility Fund, \$11,400 for Transportation Fund, \$13,163.50 for Drug Fund, \$10,992.50 for General Fund and then Board of Education will receive \$1,820 because of court-ordered items sold.

County Manager Don Adams updated the Board regarding the Duncan Recreation Center's renovations with demotion beginning. He talked about the Wellness Center met and decided to extend their services until school opens in August. He explained that the company is onsite now, and at this point, he does not see the Duncan Recreation Center being able to open this season.

The Board of Commissioners and County Manager Don Adams talked about making sure it is ready for next season.

County Manager Don Adams stated that the next discussion about the concrete plant is a follow-up from the last meeting. He explained he was requested to put the issue back on the agenda because the Board did not want to have public discussions after the last meeting's closed session because no one was present.

Chair Ken Richardson stated that the County Manager has spoken to Mr. Evans, who chose not to be here.

County Manager Don Adams explained that he has spoken to Mr. Evans and, his attorney, Hugh Campbell, and they elected not to attend this meeting.

Commissioner Doug Murphy asked about the conditional-use permit from the Property Rights Protection Ordinance was issued with the condition of meeting the High Impact Land Uses / Polluting Industries Ordinance standards.

County Manager Don Adams explained that approval was given with the condition that the project meets the standards of the High Impact Land Uses / Polluting Industries Ordinance.

Commissioner Milly Richardson and County Manager Don Adams talked about a traffic impact study in the High Impact Land Uses / Polluting Industries Ordinance.

Chair Ken Richardson reminded the Commissioners that the last vote was to table the issue until further action, and that vote will remain until further information is received or someone makes another motion on the matter.

County Manager Don Adams updated the Commissioners about the recent actions of the Planning Board including looking at the three main ordinances; Property Rights Protection Ordinance, High Impact Land Uses / Polluting Industries Ordinance and the Subdivision Ordinance, getting outside resources to help educate them as a board. He reviewed general discussions of the board. He explained that the Planning Board is looking to update the Land Development Plans. He reviewed other upcoming activities of the Planning Board and their July meeting schedule. He said that the Planning Board is getting to the point where they can start making recommendations on the ordinances.

Commissioner Milly Richardson and County Manager Don Adams talked about the Land Development Plans were adopted in 2001. He explained that they were created by the Division of Community Assistance with input from Alleghany County and the Town of Sparta. He further explained the data that needs to be updated.

Commissioner Doug Murphy stated that it appears to him in order to have good planning, the Board needs to be looking at traditional zoning in some places to have small business / light industry.

Chair Ken Richardson talked about moving forward with the concrete plant. He reviewed the action could be to make a motion to accept the recommendation of the Planning Board and also the proposed plant does not meet the requirements of the Polluting Industries Ordinance and the Property Rights Ordinance.

Commissioner Warren Taylor made a motion to accept the Planning Board's recommendation. Chair Ken Richardson seconded the motion.

Commissioner Milly Richardson stated that she thinks the Planning Board made the only recommendation they could with the ordinance that is in place. She further stated that the ordinance has some gray areas and some weak areas. She said she has some reservations about this ordinance. She further stated that she can't vote for the motion.

The Board voted on the motion on the floor. Vote 4:1 (Milly Richardson).

Chair Ken Richardson stated that the motion allows us to move forward.

Commissioner Randy Miller stated that he understands what Milly Richardson is saying. He further stated that the way the ordinances are right now that this is the only way the County can go until the ordinances are changed. He explained that if the Planning Board later recommends changes, the Board of Commissioners can consider them and Mr. Evans could come back before the Board.

Commissioner Warren Taylor asked about variance procedures.

County Manager Don Adams explained that a variance cannot be given on the distance aspect. He talked about granting a variance for site specific issues. He gave an example of fencing up a mountainside. He talked about applicants must show their site is different than other sites.

Commissioner Doug Murphy stated that this pinpoints the need to designate areas for small businesses in the county. He talked about the need to be proactive, not reactive when looking at places for small businesses.

Commissioner Milly Richardson asked about setting aside an enterprise zone instead of zoning the entire county.

County Manager Don Adams talked about two possibilities; an industrial park that the county brought and offers reasonable prices or creating a zone. He talked about the high growth potential areas. He further talked about the balance between the infrastructure and keeping the look of the county.

Commissioner Doug Murphy said that if the County is saying we are for small businesses, then we need to have areas where small businesses and industries can locate.

County Manager Don Adams talked about the Planning Board has the tools. He reviewed Highway 21 and having the tools to zone an area for some type of commercial use. He explained that the Planning Board is getting there but it is just going to take some time.

Commissioner Randy Miller agreed with the County Manager's comments. He stated that they are going to work with us and us with them. He further stated that they have done a good job.

Commissioner Milly Richardson agreed that they have done a good job.

Chair Ken Richardson talked about taking the oath of office to uphold the law. He further talked about an ordinance is law and having no choice but to follow the law.

He said the Board's action doesn't deny a concrete plant just that it must abide by the ordinance. He said he is not discouraging small businesses from coming or beginning in the county. He talked about the concrete plant couldn't follow either ordinance.

County Manager Don Adams stated that he received a phone call from the Catholic Church, and there has been some misunderstanding about the alcohol issue at the fairgrounds. He clarified that the Catholic Church did not have anything to do with the issue, Myra Castillo misrepresented the Catholic Church and Myra Castillo is of no relation to Ralph Castillo, the CEO at Alleghany Memorial Hospital.

Commissioner Milly Richardson made a motion to enter into closed session under NCGS 143-318.11 (a) (6)—personnel at 7:06pm. Commissioner Randy Miller seconded the motion. Vote 5:0.

Commissioner Warren Taylor made a motion to adjourn the closed session and reconvene the regular meeting at 7:28pm. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Chair Ken Richardson stated that no decisions were made during closed session.

Commissioner Milly Richardson made a motion to separate Planning and Recreation department to a Planner position and a Recreation Director position. Commissioner Randy Miller seconded the motion. Vote 5:0.

Being no further business, Commissioner Warren Taylor made a motion to adjourn at 7:29pm. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Respectfully submitted,

Karen Evans Clerk to the Board

Attest:

Ken Richardson Chairman