

The Alleghany County Board of Commissioners met in regular session on Monday, August 4, 2014, at 6:30pm in the Board Meeting Room of the County Administration Building, 348 South Main Street, Sparta, North Carolina.

Present: Chairman Larry Cox, Vice-Chairman Tom Smith, Commissioner Larry Davis, Commissioner John Goudreau, Commissioner Karen Leys, County Attorney Donna Shumate, County Manager Don Adams, and Clerk to the Board Karen Evans.

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

Chair Cox stated that #8 needs to be added to the agenda to surplus a 2001 Ford Ranger.

Commissioner Smith made a motion to approve the amended agenda for this August 4, 2014, meeting. Commissioner Davis seconded the motion. Vote 5:0.

AGENDA  
Monday, August 4, 2014  
6:30 PM

- 6:30 Meeting Called To Order, Pledge of Allegiance and Invocation  
Motion on Agenda for August 4, 2014, Meeting  
Motion on Minutes for July 21, 2014, Special Meeting and July 21, 2014, Regular Meeting
- 6:35 A. April Hamm – Transportation Director  
RE: System Safety Program Plan for Alleghany in Motion. She will be presenting the System Safety Program Plan. No action requested.
- B. Kathy Murphy  
RE: Business Solid Waste Fee Appeal
- C. General Business
1. NCACC Legislative Goals Process
  2. Morgue Budget Amendment  
Budget Amendment #2 in the amount of \$17,921 to put monies in place to purchase the morgue as discussed at the last meeting.  
Action Requested—Vote on Budget Amendment #2.
  3. Labor Day Commissioners' Meeting  
Discuss rescheduling the September 1, 2014, meeting due to the Labor Day holiday.
  4. Transfer Facility Closing for Pavement  
The Transfer Facility will be closed on Wednesday, August 6, 2014, for paving the site. In the event of rain on Wednesday, the Transfer Facility will be closed on Thursday, August 7, 2014.
  5. Economic Development Strategic Plan Action Committees  
The economic development plan is near completion. A key component is to appoint action committees to work on the approved goals & objectives. A nominating committee is needed to recommend members to serve on the action committees. Action Requested – Appoint two Commissioners to serve on the nominating committee.
  6. NCDOT Road Beautification Projects  
Potential projects may be located at the Fairgrounds & Veterans Park.
  7. Social Services Vehicle Modification Request  
Social Services would like to add an AWD option to their Dodge Journey, which was approved in the budget. This option would add \$705 to the price of the vehicle. Action Requested—Vote on the request.
  8. Surplus of a 2001 Ford Ranger (added)
- D. Public Comments—30 minutes
- E. Adjourn

Commissioner Leys made a motion to approve the minutes for the July 21, 2014, special meeting and July 21, 2014, regular meeting. Commissioner Smith seconded the motion. Vote 5:0.

April Hamm, Transportation Director, came before the Board to present Alleghany in Motion's System Safety Program Plan. She explained that the 84-page Plan will be available in

her office and the County Manager's office for review during the next 2 weeks at which time she will come back to ask for approval.

Commissioner Leys and April Hamm talked about there aren't a lot of changes from the previous conversations.

Chair Cox and April Hamm talked about one area was the addition of the cameras.

Kathy Murphy came before the Board to present a business solid waste appeal. She summarized her request; October 2012 through June 2013 home-based business rate, July 2013 through November 2013 regular rate, December 2013 to April 2014 no fee for winter months because lack of business and only used the kitchen occasionally, then regular rate since then. She said she is requesting the release of \$71.69. She asked for clarification on how businesses are charged in situations like The Shops at the Senator's House. She provided examples of charges in other areas.

Chair Cox asked the County Manager if he has anything to add.

County Manager Don Adams talked about the letter submitted by Mrs. Murphy explaining her request and what is in front of the Commissioners show that she wasn't billed until April 2013, which makes a difference of \$5 during that time period, seasonal months that she asked for is \$66.69. He said that adds up to her requested release amount of \$71.69. He said there is two requests before the Board; home-based in the beginning and then seasonal during the winter.

Chair Cox talked about six months where no fees were charged.

Kathy Murphy explained her limited usage of the commercial kitchen during those times.

County Manager Don Adams explained that if two or more businesses operate in the same location they are each charged a business solid waste fee. He further explained the Finance Office does not go back and bill the fees, they start when the business is discovered.

Commissioner Leys and County Manager Don Adams talked about how the Finance Office knows businesses are seasonal; advertises, services provided during that time. He explained what the Finance Office uses to determine seasonal is no business at all during that time. He described examples. He stated that seasonal means the business is shut down completely during that time.

Commissioner Leys and Kathy Murphy talked about she only used the commercial kitchen occasionally during the winter months. Kathy Murphy said if the Board determines that she has to pay during those months, she requests those fees go back to the other way. Kathy Murphy talked about she will close down after the holidays this year then open again in the spring.

Commissioner Smith and Kathy Murphy talked about her use of the commercial kitchen occasionally. Kathy Murphy reiterated her request to be charged as a home-based business during that time.

Commissioner Smith mentioned the request of the delinquent fees be removed from the property owners tax bill. County Manager Don Adams clarified that request isn't necessary at this time because nothing was charged on their tax bill. Commissioner Smith asked if the property owners are notified if the business hasn't paid the bill. County Manager Don Adams explained that property owners are notified on a quarterly basis about outstanding balances.

Commissioner Leys summarized Kathy Murphy's request. She asked the County Attorney if this can be released. County Attorney Donna Shumate said she thinks so.

Commissioner Leys and Kathy Murphy talked about she was not open in December. Kathy Murphy said she came in to bake one batch of cookies and then she wasn't there. Kathy Murphy explained that Sparky's Coffee House was in the process of opening their business during that time.

Commissioner Smith talked about the fee schedule was passed in June, and these charges are in compliance with the fee schedule. The County Manager agreed.

Chair Cox and County Manager Don Adams talked about the difference in the first nine months is \$5.01.

Commissioner Leys made a motion to change the fee from the \$16.67 for December-March to \$5, difference of \$48.68 because she was seasonal and not inside that business.

Kathy Murphy asked does that include the \$5 in the beginning. Commissioner Leys said no because there wasn't any fees charged for six months.

Chair Cox asked for a second. No one spoke.

Motion died due to lack of a second.

County Manager Don Adams read part of his letter about appealing to the Commissioners.

County Attorney Donna Shumate explained that there needs to be some kind of action on this matter.

Commissioner Smith talked about the occasional use of the commercial kitchen. Kathy Murphy talked about other people can rent this kitchen too. She provided an example making jellies in the kitchen then selling them. She said that she asked if the other people using the kitchen are charged solid waste fees.

Commissioner Leys asked what the definition of a business is. County Manager Don Adams explained there are multiple ways that we use to find businesses. Commissioner Leys said using the kitchen one time then no. County Manager Don Adams said there is a difference between using the Wellness Center kitchen for one day versus having a lease agreement.

Kathy Murphy explained her lease agreement for The Shops at the Senator's House.

County Manager Don Adams and Kathy Murphy talked about the lease for the kitchen area and The Shops portion are totally separate.

Commissioner Smith said he is going to go by the letter sent to Mrs. Murphy about Alleghany County's current solid waste fee schedule requires all businesses operating within the County outside of their home pay a minimum of \$16.67 regardless of refuse generated by the business.

Commissioner Smith made a motion to not approval the request. Commissioner Goudreau seconded the motion.

Commissioner Goudreau said her letter talks about she used the kitchen occasionally and all businesses must pay the fee.

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

County Manager Don Adams talked about an email from David Thompson regarding the County Commissioners Association's Legislative Goals and the goals need to be received on or before September 19. He reviewed the goals calendar; September 19 goals submission deadline, September-October steering committee review goals, November legislative goals committee meets, December Board of Directors reviews and finalizes recommendations and January 15-16, 2015 Legislative Goals Conference. He said he wanted to let everyone know about the upcoming calendar.

Chair Cox talked about information he received from the Association about the goals process.

Commissioner Smith and County Manager Don Adams talked about examples of goals that Alleghany County submitted last year.

Commissioner Goudreau said one we need to look at is pushing expenses back onto counties.

County Manager Don Adams said that the Clerk will make copies of the legislative process documents and last year's goals for the Board.

County Manager Don Adams presented budget amendment General Fund #2 in the amount of \$17,921 for the morgue. He passed out information to the Board about the proposed Memorandum of Agreement between Allegheny County and Allegheny Memorial Hospital for the use of the morgue. He asked the Board to read the proposed agreement. He explained why the amount of \$17,921 is less than previously discussed. He reviewed the highlights of the Agreement. He said that the County Attorney has reviewed this Agreement.

County Attorney Donna Shumate mentioned adding wording about no compensation is involved on either side for this Agreement.

Commissioner Leys talked about she was glad to see the wording for the insurance.

County Manager Don Adams said if the Board approves the budget amendment then he will take this Agreement to the Hospital for them to review and approve. He reviewed his timeline for having the equipment in place.

Commissioner Davis made a motion to approve budget amendment General Fund #2 in the amount of \$17,921. Commissioner Goudreau seconded the motion. Vote 5:0.

County Manager Don Adams said he can take the Agreement to the Hospital for their approval and then bring it back at the next meeting.

Commissioner Leys and County Manager Don Adams talked about he doesn't know if there is an alarm if the cooling portion fails.

County Manager Don Adams said the first Monday in September falls on a holiday and asked the Board about rescheduling the meeting.

The Board talked about dates/times for the meeting.

Commissioner Smith made a motion to move the September 1 meeting to September 8 at 6:30pm. Chair Cox seconded the motion. Vote 5:0.

County Manager Don Adams informed everyone that the Transfer Facility will be closed on Wednesday, August 6 for paving. He said Thursday and Friday is scheduled to pave at Council on Aging.

County Manager Don Adams talked about the Economic Development Strategic Plan Action Committees. He said that 75 actions or goals to take place in the next 5 years are included in the Plan, and the draft is close to being ready. He explained that one of the key items is to appoint action committees. He talked about the purpose of the action committees. He reviewed the implementation structure. He said he is asking the Commissioners to appoint 2 Commissioners, who along with 2 Town Council members, to nominate people to serve on these action committees.

Chair Cox said he and Commissioner Leys have been working on this but it's fine if any other Commissioner would like to serve on the committee.

Commissioner Smith made a motion to approve Chair Cox and Commissioner Leys to serve on the committee. Commissioner Goudreau seconded the motion. Vote 5:0.

County Manager Don Adams talked about the proposed agricultural development portion was pulled directly from the Farmland Preservation Plan and the advisory board that was recently created will serve as that action committee.

Chair Cox talked about the names will come back before the Commissioners for approval.

County Manager Don Adams said this is the initial discussion about beautification projects. He stated that he and Commissioner Leys talked to the Department of Transportation (NCDOT) about a program they have for beautification projects. He explained that they brought NCDOT in to look at the fairgrounds and the Veterans Park, they are considering both sites, and should get

some proposals soon. He further explained if the County participates in the project then the County maintains it from now on. He talked about they are very interested in both projects. He said as soon as he gets it, he will give it to the Commissioners.

County Manager Don Adams presented a request from Social Services for a vehicle modification for their new vehicle because it has an AWD option for an additional \$705. He talked about the justification is because they have to travel on roads that are not paved.

Commissioner Leys mentioned several times Social Services has had the Sheriff's Department to take employees to places because of road conditions and this new vehicle would alleviate that.

Commissioner Davis explained when he worked for the County he did too.

Commissioner Smith made a motion to approve the request. Commissioner Leys seconded the motion. Vote 5:0.

County Manager Don Adams explained on July 11, a Recreation employee had an accident on Highway 21, employee wasn't hurt, hit a pole, flipped the pickup. He further explained that the 2001 Ford Ranger has been totaled and has 165,000 miles. He requested the County to surplus it and give it to the insurance company because it will costs \$664 to keep it.

Commissioner Leys made a motion to declare the 2001 Ranger surplus. Commissioner Davis seconded the motion. Vote 5:0.

County Manager Don Adams added with the understanding of getting rid of the vehicle by turning it over to the insurance company.

Commissioner Smith encouraged people to look at the bridge at Veterans Park. County Manager Don Adams asked that people view it from the road, please.

Commissioner Leys talked about Take a Break from the Interstate's Road Market was a big success. She thanked DW Miles for his work on this. She also thanked Ginger Collins regarding Blue Ridge Read's activities, along with John Brady and the Arts Guild. She said she visited the Food Closet and toured the new area, which was very impressive. She recognized Teresa Marsh, who needs money for the kids feeding program and needs volunteers. She said thank you to her and David Carpenter, Susan Shaw and all of the volunteers.

Chair Cox talked about his experience with the Road Market in Wythe County. He talked about it was wonderful and, if it continues, it will be great.

Chair Cox congratulated the Clerk on her recent application to be on the Board of Directors for the North Carolina Clerks' Association.

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

Being no further business, Commissioner Leys made a motion to adjourn at 7:55pm. Commissioner Goudreau seconded the motion. Vote 5:0.

Respectfully submitted,

Karen Evans  
Clerk to the Board

Attest:

Larry Cox  
Chairman