

The Alleghany County Board of Commissioners met in regular session on Monday, August 15, 2011, at 10:00am in the Board Meeting Room of the County Administration Building, 348 South Main Street, Sparta, North Carolina.

Present: Chair Ken Richardson, Vice-Chair Tom Smith, Commissioner Larry Cox, Commissioner John Goudreau, Commissioner Steve Roten, County Attorney Donna Shumate, County Manager Don Adams, and Clerk to the Board Karen Evans.

Chair Richardson called the meeting to order, welcomed everyone, led the Pledge of Allegiance and a silent prayer.

Commissioner Cox made a motion to approve the agenda for this August 15, 2011, meeting. Commissioner Goudreau seconded the motion. Vote 5:0.

AGENDA
Monday, August 15, 2011
10:00 AM

- 10:00 Meeting Called To Order, Pledge of Allegiance and Silent Prayer
Motion on Agenda for August 15, 2011, meeting
Motion on Minutes for August 1, 2011, meeting
- 10:05 A. Public Comments—30 minutes
B. Rita Miller
RE: July Releases and Refunds
July Collections Report
Late Application for Elderly Exclusion
Late Application for Veterans Exclusion
NC Debt Setoff Program
- C. Phil Trew
RE: High Country Regional Bike Plan
- D. Travis Dalton
RE: Planning Board Comments on Proposed Noise Ordinance
Planning Annual Report
- E. Veterans Service Annual Report
- F. County Manager's/General Business
1. Propane Bids
2. Occupancy Tax Update
3. Sheriff's Department Surplus Vehicle
4. BREMCO Resolution—Hospital Recruitment
5. Budget Amendment—Social Services, Adoption Assistance
6. Budget Amendment—Extension Service
7. Budget Amendment—Social Services, Child Care
8. Budget Amendment—Safety Training Facility
9. Budget Amendment—EMS
10. Solid Waste Fee Release Policy
11. Farmland Preservation Advisory Board Appointment
- G. Closed Session—NCGS 143-318.11 (a) (3)—legal
NCGS 143-318.11 (a) (5)—contracts
- H. Adjourn

Commissioner Goudreau made a motion to approve the minutes for the August 1, 2011, meeting. Commissioner Cox seconded the motion. Vote 5:0.

Chair Richardson opened the public comments' portion of the meeting and asked for public comments.

Dennis Smith talked about National media coverage during June and items that were covered and were not covered. He quoted an article in the American Dream published during June. He talked about Agenda 21 and explained it as defined by the United Nations. He continued explaining Agenda 21 and its impacts to the world. He talked about people/organizations that support Agenda 21. He continued talking about sustainable development and Agenda 21. He gave examples about what are non-sustainable items. He talked about how Agenda 21 items are hidden from the public. He further talked about how Congress has never approved Agenda 21 but three presidents signed executive orders to implement Agenda 21. He reiterated how Agenda 21 impacts the world. He talked about Agenda 21 is to drive us into a global government. He asked the Board to educate themselves about Agenda 21 and consider this when looking at grants that are tied to this. He further asked the Board to

not associate the County with groups/organizations that are associated with Agenda 21. He read a prayer that was offered in the US Senate.

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

Rita Miller, Tax Administrator, came before the Board to present the July auto releases and refunds.

Commissioner Roten made a motion to approve the July auto releases and refunds. Commissioner Smith seconded the motion. Vote 5:0.

Rita Miller presented the July real property releases and refunds.

Commissioner Roten made a motion to approve the July property releases and refunds. Commissioner Cox seconded the motion.

Commissioner Goudreau asked about a clerical error on the report. Rita Miller explained the error.

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

Rita Miller presented the July 2011 collections' report. She reviewed the amount billed, collected and the collection rates for real property and vehicles.

County Manager Don Adams and Rita Miller talked about these numbers reflect the Town of Sparta's information, also.

Rita Miller presented letters asking for approval of two late applications; elderly exemption, veterans exclusion. She explained that both applications meet the requirements but didn't get their request turned in on time.

Commissioner Roten made a motion to approve both requests. Commissioner Cox seconded the motion. Vote 5:0.

Rita Miller explained the Debt Setoff Program. She further explained the program is a method to collect delinquent taxes by using the NC Debt Setoff Clearinghouse to collect the taxes by utilizing taxpayers State tax refunds and lottery winnings. She said the Board would need to approve the resolution to implement the program. She stated that they are going to training in September to learn more about the Program, and the Town has taken action on their part.

County Manager Don Adams talked about the memorandum of understanding and read a portion about what is classified as delinquent debt.

Rita Miller explained that the debt has to be at least \$50.

County Manager Don Adams and Rita Miller talked about the Clearinghouse charges \$15 per account.

The Board of Commissioners and Rita Miller talked about the \$15 charge that the Clearinghouse charges to the individual. Rita Miller explained that the Clearinghouse does not reduce the taxes owed.

Commissioner Smith and Rita Miller talked about how errors are corrected. County Manager Don Adams explained his understanding on how errors are handled.

Commissioner Roten and Rita Miller talked about how far back the County can go will be part of her questions for the training in September.

Chair Richardson talked about the resolution that is needed to proceed with this

Commissioner Goudreau made a motion to approve the resolution. Commissioner Cox seconded the motion. Vote 5:0.

Commissioner Roten and Rita Miller talked about her and the County Attorney are currently working on collections for taxes that are almost 10 years old.

Commissioner Smith and Rita Miller talked about the number of counties participating statewide.

Commissioner Goudreau and Rita Miller talked about Fred Sides is currently working on a report to show the Board more collections information on a monthly basis.

Phil Trew with High Country Council of Governments came before the Board to talk about the High Country Regional Bike Plan. He explained the Regional Bike Plan and grants are available to the Council of Governments, which they applied for and received. He further explained the purpose of the Plan and its components. He explained the type of routes that they will be looking at. He said that the next thing he needs to get started is a steering committee to be appointed. He talked about who needs to be included on the steering committee; three representatives from each County, representatives from NCDOT Divisions 11 and 13, Blue Ridge Parkway. He continued talking about the steering committee. He said that the completed Plan will be submitted to each of the counties and municipalities.

County Manager Don Adams reminded the Board that Alleghany County and Town of Sparta have almost completed a Transportation Plan. He talked about the Transportation Plan will have information included about bicycle traffic. He said that the Plan will be presented at the next joint meeting.

Chair Richardson and Phil Trew talked about how the RPO will be presented the final Plan for adoption, also. They talked about a timeline for the adoption of steering committee members.

The County Manager recommended that the Board look at someone who is actively involved in biking, possibly an elected official and County staff such as County Planner Travis Dalton. He talked about ways to proceed.

Travis Dalton, Planner, came before the Board to present a letter from the Planning Board. He read the letter about the proposed Noise Ordinance regarding why they wrote the ordinance the way it was.

Chair Richardson asked has the County met all of the legal aspects for adopting the Ordinance.

County Attorney Donna Shumate answered that is correct.

County Manager Don Adams explained the way the topic was left with the Commissioners.

Commissioner Cox stated his concern was about animals, which wasn't included in the Ordinance.

County Attorney Donna Shumate reiterated her recollection of the Commissioners' discussions, and the Planning Board is wondering whether they need to work on this or not.

Chair Richardson asked is there a consensus to send it back to the Planning Board.

Commissioner Roten talked about his concern regarding the Ordinance.

Chair Richardson asked for a consensus of the Board.

Commissioner Smith said he has been comfortable with it being tabled.

Chair Richardson stated that he is hearing from the Board the appreciation of the time spent but there isn't a consensus to continue with the Noise Ordinance.

Travis Dalton presented the annual report for the Planning Department including the statistics; number of building permits reviewed, high quality water permits issued, extension of a road guarantee, compliance permits issued, conditional-use permits issued, minor subdivisions reviewed/stamped, Planning Board meetings, proposed ordinance changes, proposed new ordinances. He explained that he has worked on the multi-jurisdictional hazard mitigation plan and attended/started the compliance for the proper disposal of fluorescent light bulbs.

Sam Nichols, Veterans Service Officer, presented the annual report for the Veterans Service Office. He reviewed his location/hours of operation. He further reviewed how many veterans/dependents he assisted during the last year and the types of claims. He talked about this is an increase over last year and the reasons for the increases.

Commissioner Cox talked about his appreciation for Mr. Nichols' assistance for Veterans' grave markers.

County Manager Don Adams presented the Board information about the propane bids. He explained that the County did receive bids for the propane lock-in rate for September 1 to April 30. He listed out the bids; Independence Oil & LP Gas \$1.799, G&B Energy \$1.839, Blue Ridge Energies \$1.889, Hometown Fuel & LP Gas \$1.987. He said his recommendation is to award the bid to Independence Oil & LP Gas.

Commissioner Roten and the County Manager talked about the bids. Commissioner Roten stated that he hates to see it go out of the state.

County Manager Don Adams talked about his conversations with Ernest McGuire at Independence Oil & LP Gas regarding propane services.

Commissioner Roten and County Manager Don Adams talked about the length of the contract; September 1 to April 30.

Commissioner Smith and County Manager Don Adams talked about the County has not done business with the new owners at Independence Oil and LP Gas.

Commissioner Cox made a motion to award the bid to Independence Oil and LP Gas. Commissioner Smith seconded the motion. Vote 5:0.

County Manager Don Adams explained that he wanted to provide an update to the Board about the legislative action regarding occupancy tax, HB96. He reviewed an email from Amy Bason and Trina Griffin about the intent of the subcommittee that worked on this bill that all occupancy tax proceeds be administered by a Tourism Development Authority (TDA). He summarized that if the Board increases the tax to 6% then the Board would need to create a TDA for the entire 6% to go to and for the administration of the 6%. He read the portion of Session Law 2011-170 that applies to Alleghany County. He explained that up until now 100% of occupancy tax funds went to the Chamber of Commerce. He continued reading the portion of the Session Law 2011-170 that applies to the Alleghany County. He said he hopes that explains what the process is if the Board wants to proceed. He explained that the first 3% was done by an ordinance and the Board has held public hearings regarding ordinances. He said that the second thing is conversations about developing a TDA. He talked about ways to proceed in developing a TDA, long-term conversations about the Chamber, and what relationship would the TDA have with the Chamber.

Chair Richardson asked if the consensus is to have a public hearing at the September or October meeting.

Commissioner Cox said that seems like the logical step, and he would like to hear from the public.

Commissioner Goudreau agreed.

Chair Richardson said it sounds like the consensus is to hold a public hearing at the first meeting in September.

County Manager Don Adams talked about a 1994 Ford Mustang that needs to be declared surplus that was obtained through a drug seizure by the Sheriff's Department. He explained that the Sheriff's Department wants to dispose of the vehicle by an auction. He further explained that the money will go back into the Drug Fund.

Commissioner Goudreau made a motion a motion to declare the vehicle surplus. Commissioner Cox seconded the motion. Vote 5:0.

County Manager Don Adams presented a resolution regarding the loan from Blue Ridge Electric Membership. He explained the resolution and the purpose.

Commissioner Cox made a motion to approve the resolution. Commissioner Smith seconded the motion.

Commissioner Goudreau and County Manager Don Adams talked about the language of this loan is to help finance Alleghany Memorial Hospital's recruitment of a Hospitalist and other critical needs. Commissioner Goudreau asked about the other critical needs. The County Manager explained how the requests are handled, and he sees no problem removing the language of other critical needs.

Commissioner Cox made a motion to approve the amendment. Commissioner Smith seconded the amendment. Vote 5:0.

County Manager Don Adams presented budget amendment General Fund #1 in the amount of \$25,071 for adoption assistance for Social Services. He explained that this doesn't require any County funds.

Commissioner Smith made a motion to approve budget amendment General Fund #1 in the amount of \$25,071. Commissioner Roten seconded the motion. Vote 5:0.

County Manager Don Adams presented budget amendment General Fund #2 in the amount of \$2,428 for the additional salary for the Extension Service where the request was approved at the last meeting.

Commissioner Roten made a motion to approve budget amendment General Fund #2 in the amount of \$2,428. Commissioner Cox seconded the motion. Vote 4:1 (John Goudreau).

County Manager Don Adams presented budget amendment General Fund #3 in the amount of \$72,972 for additional child care subsidy for Social Services. He explained that this doesn't require any County funds.

Commissioner Roten made a motion to approve budget amendment General Fund #3 in the amount of \$72,972. Commissioner Cox seconded the motion. Vote 5:0.

County Manager Don Adams presented budget amendment Safety Training Facility #1 in the amount of \$2,890. He explained the purpose of the budget amendment is to budget additional revenues received from the Contractor to cover additional items at the Safety Training Facility.

Commissioner Roten made a motion to approve budget amendment Safety Training Facility #1 in the amount of \$2,890. Commissioner Cox seconded the motion. Vote 5:0.

County Manager Don Adams presented budget amendment General Fund #4 in the amount of \$600 to budget for insurance proceeds for an EMS accident involving a deer.

Commissioner Roten made a motion to approve budget amendment General Fund #4 in the amount of \$600. Commissioner Goudreau seconded the motion. Vote 5:0.

County Manager Don Adams presented a letter from the Farmland Preservation Advisory Board asking the Board to appoint Charles Williams of the Cherry Lane community to serve a 3-year term to fill the position previously held by Dennis Franklin.

Commissioner Smith made a motion to approve the appointment of Charles Williams to serve on the Farmland Preservation Advisory Board. Commissioner Goudreau seconded the motion. Vote 5:0.

County Manager Don Adams read the memorandum to the Board from him regarding the Transfer Facility Fees—Construction Material Releases. He reviewed his concern about requests from the ministerium group and Operation Inasmuch

Commissioner Roten and the County Manager talked about the date of the proposed policy.

Chair Richardson talked about this policy is clarifying the actions of the Board.

County Manager Don Adams agreed.

Chair Richardson stated that this is just putting it in writing.

County Manager Don Adams agreed for the most part but the building ministerium is different.

Commissioner Cox, Chair Richardson and County Manager Don Adams talked about this becomes policy once it is adopted.

Commissioner Roten made a motion to approve the policy. Commissioner Goudreau seconded the motion. Vote 5:0.

County Manager Don Adams passed out a letter confirming the NCDOT Secondary Road public hearing on October 3, 2011, at 8:00pm.

Commissioner Goudreau made a motion to enter into closed session at 11:42am under NCGS 143-318.11 (a) (3)—legal and (a) (5)—contracts. Commissioner Cox seconded the motion. Vote 5:0.

Commissioner Cox made a motion to adjourn closed session at 12:10pm and reconvene the regular meeting. Commissioner Goudreau seconded the motion. Vote 5:0.

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

Being no further business, Commissioner Cox made a motion to adjourn at 12:12pm. Commissioner Goudreau seconded the motion. Vote 5:0.

Respectfully submitted,

Karen Evans
Clerk to the Board

Attest:

Ken Richardson
Chairman