The Alleghany County Board of Commissioners met in regular session on Monday, December 3, 2007, at 6:30pm in the Board 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 Attorney Donna Shumate, County Manager Don Adams, and Clerk to the Board Karen Evans.

County Manager Don Adams called the meeting to order.

Commissioner Warren Taylor led the Pledge of Allegiance and opened the meeting with a prayer.

Commissioner Milly Richardson made a motion to approve the agenda for this December 3, 2007, meeting. Commissioner Warren Taylor seconded the motion. Vote 5:0.

AGENDA Monday, December 3, 2007 6:30 PM

6:30 Meeting Called To Order (County Manager)

Pledge of Allegiance and Prayer

Motion on Agenda for December 3, 2007, meeting Motion on Minutes for November 19, 2007, meeting

Note: The following order is in accordance with the current adopted rules of procedures

6:35 A. <u>Elect Chair/Vice-Chair</u>

- B. Appoint Clerk to the Board
- C. Appoint County Attorney
- D. Board Appointments
- E. <u>Meeting Procedures</u>
- F. Public Comments—30 minutes
- G. <u>County Business</u>
 - 1. Sign Moratorium
 - 2.a. Introduce Bond Order
 - b. Public Hearing/Sworn Statement of Debt Resolution
 - 3. QZAB-Reimbursement Expenses
 - 4. Other Business
 - 5. Adjourn

Commissioner Warren Taylor made a motion to approve the minutes for the November 19, 2007, meeting. Commissioner Randy Miller seconded the motion. Vote 5:0.

Commissioner Doug Murphy made a motion to nominate Ken Richardson as Chairman. Commissioner Randy Miller seconded the motion. Vote 5:0.

Commissioner Randy Miller made a motion to nominate Warren Taylor as Vice-Chair. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Commissioner Doug Murphy made a motion to reappoint Karen Evans as Clerk to the Board. Commissioner Randy Miller seconded the motion. Vote 5:0.

Commissioner Warren Taylor made a motion to reappoint Donna Shumate as County Attorney. Commissioner Randy Miller seconded the motion. Vote 5:0.

Chair Ken Richardson asked for discussions on the existing board appointments.

Commissioner Warren Taylor made a motion to keep the list of boards as they are. Commissioner Milly Richardson seconded the motion. Vote 5:0.

Commissioner Milly Richardson made a motion to approve the rules of

procedures. Commissioner Randy Miller seconded the motion. Vote 5:0.

Chair Ken Richardson stated his appreciation to the Board for their confidence in him, and it is an honor to serve as the Chair.

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.

County Attorney Donna Shumate explained that she has done more research on the moratorium issue. She explained that the safest way to adopt a moratorium is to have it for a period of 60 days. She stated that the 60 day moratorium does not require the additional legal ads and the first class mailing. She further explained the process to adopt the moratorium.

Commissioner Warren Taylor and County Attorney Donna Shumate talked about the small wording changes.

Commissioner Doug Murphy and County Attorney Donna Shumate talked about this moratorium does away with the police powers aspect.

County Manager Don Adams explained that he has the ad ready to go forward with the public hearing on December 17 if the Board wishes to do so.

The Board agreed.

County Manager Don Adams read the bond order for introduction on a bond order authorizing the issuance of general obligation school bonds in the maximum amount of \$7,535,000.

County Manager Don Adams presented a resolution setting the public hearing and authorizing the filing of the debt statement. He explained the resolution and the timeline associated with the referendum.

Chair Ken Richardson thanked Warren Taylor for participating with him, the County Manager, Clarence Crouse, Mitch Franklin and Dr. Cox in the conference call with Local Government Commission about the referendum.

Commissioner Warren Taylor made a motion to approve the resolution as presented by the County Manager. Commissioner Doug Murphy seconded the motion. Vote 5:0.

County Manager Don Adams stated that he received information from North by Northwest about the bank they are dealing with on the QZAB loan stating that the bank has decided to fund the insurance costs. He reviewed the costs associated with the QZAB project; 1% to North by Northwest, \$6,500 for the attorney and \$500 for the application fee. He explained the timeline for the QZAB process including the application to be submitted by Christmas in order to be heard at the February Local Government Commission meeting. He reminded the Board that Dr. Cox asked about a reimbursement resolution regarding the QZAB project. He explained how reimbursement resolutions operate. He talked about they have already asked for approval on \$150,000 of projects. He explained how the money is being spent.

Dr. Jeff Cox explained how they are handling a lot of maintenance issues with the QZAB monies and being able to purchase other pieces of equipment with the capital monies. He talked about he is hesitate to use capital money for smart boards and computers because if the QZAB monies fall through then the roofing project can't happen. He talked about a commitment of the \$146,000 loan payment if the loan falls through. He stated that he doesn't have a specific project in mind but there may be projects that can be done over Christmas break.

County Manager Don Adams talked about not spending more than \$200,000 before mid-February. He further talked about the worst-case scenario if the QZAB monies don't come through.

Chair Ken Richardson stated that he is fine if everyone is talking about using \$200,000-\$250,000 of QZAB monies for things that are on the QZAB list.

Commissioner Doug Murphy asked are the items on the QZAB list.

Dr. Cox stated that yes they are. He talked about two different issues; \$200,000 by mid-February and if there is no loan, using the payment monies towards the projects.

Commissioner Warren Taylor made a motion to pledge \$146,000 regardless if QZAB monies are there or not. Commissioner Doug Murphy seconded the motion. Vote 5:0.

Dr. Cox stated his appreciation to the Board for working through these issues with the Board of Education.

Commissioner Doug Murphy thanked the Board for their hard work during this past year.

Commissioner Randy Miller thanked the Board, Don Adams and Karen Evans for their work. He talked about this isn't what people thinks it is until you get involved. He further talked about having to weigh actions because the actions affect everyone.

Commissioner Milly Richardson talked about going to the Singing Christmas Tree Program, and she wants to thank everyone who participates in that activity.

Commissioner Milly Richardson talked about a recent fire commission meeting and how fire departments access gated communities. She further talked about situations where they can't get though a locked gate. She stated that BREMCO has keys to every gate and they haven't been successful in getting keys.

County Manager Don Adams explained that BREMCO used to provide keys but doesn't now. He further explained that BREMCO ran into some problems and on advice on legal counsel they don't provide keys anymore. He stated that BREMCO went out and changed the locks, and now the fire departments, rescue squad, tax office and building inspections do not have access. He further stated that there are ordinances that make it a law to provide access. He said that he would have to find out if the ordinance can go back in time. He explained two options in these situations. He asked do the fire departments have a liability to get the gate down or not get the gate down.

Commissioner Milly Richardson stated that she felt like this is a bad situation and should be brought to the Board's attention.

Commissioner Doug Murphy stated that it looks like the gated communities would want access for emergency workers to get to their property.

Commissioner Milly Richardson stated that members may assume they already have access. She talked about a dry hydrant in Air Bellows Gap community.

Commissioner Warren Taylor talked about having everything keyed the same with one key.

County Manager Don Adams explained that is the way BREMCO operates currently. He mentioned that possibly the community could give permission to BREMCO to provide a key.

Commissioner Doug Murphy stated that someone could contact homeowners associations and explain that the fire departments can't get in.

Commissioner Milly Richardson asked what about individual homes.

Chair Ken Richardson talked about the fire departments getting a list of locked

gates in their district.

Commissioner Milly Richardson said that they are looking for the Board to do something.

Commissioner Warren Taylor talked about creating an ordinance to require communities to provide a key.

Commissioner Milly Richardson reiterated that this applies to all emergency services.

County Manager Don Adams explained that the ordinances he has seen dealt with new subdivisions, and he would have to check on existing communities being required to provide access.

Commissioner Milly Richardson stated that she understands that the part-time residents are worried about burglary and uses gates to help deter burglary but it also keeps out emergency services.

Chair Ken Richardson asked the County Manager to bring something back on this situation.

Commissioner Milly Richardson asked about 911 monies from the telephone bill being used to update the dispatch center.

Chair Ken Richardson explained that there are guidelines as to how it can be spent.

County Manager Don Adams explained that January 1, 2008, is the date to determine the amount of fund balance in the 911 fund, after that the fund balance can be used for any county function with the ongoing monies being used for 911 expenses using certain guidelines. He talked about the safety needs assessment that will be presented to the Board around February. He stated that he assumed when looking at those needs that these monies will be used to fund those needs.

Chair Ken Richardson and Commissioner Milly Richardson talked about the current \$400,000 would be spent on emergency services. Chair Ken Richardson stated that sounds like the consensus of the Commissioners.

County Manager Don Adams talked about the ministerial group has acquired another project and is asking about permit fees being released. He reminded the Board about a prior project for David Smith, and now they have one for a house previously owned by Joel Spicer. He talked about the County has previously collected \$270 in permit fees on this house. He further talked about all of the services are donated or are volunteer work.

Commissioner Milly Richardson made a motion to release the fees. Commissioner Warren Taylor seconded the motion.

Chair Ken Richardson asked about the project being inspected.

County Manager Don Adams stated that it will follow the normal inspection schedule.

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

Being no further business, Commissioner Milly Richardson made a motion to adjourn at 7:19pm. Commissioner Randy Miller seconded the motion. Vote 5:0.

Respectfully submitted,

Karen Evans Clerk to the Board Attest:

Ken Richardson Chairman