

The Alleghany County Board of Commissioners met in regular session on Monday, June 7, 2004, at 6:30pm in the Conference Room of the County Office Building, 90 South Main Street, Sparta, North Carolina.

Present: Chair Eldon Edwards, Vice-Chair Warren Taylor, Commissioner Graylen Blevins, Commissioner Sandy Carter Herndon, Commissioner Patrick Woodie, County Manager Don Adams, and Clerk to the Board Karen Evans. County Attorney Ed Woltz was absent.

Chair Eldon Edwards called the meeting to order.

Chair Eldon Edwards stated that a closed session should be added for NCGS 143-318.11 (a) (4)—economic development to this agenda.

Chair Eldon Edwards asked for a moment of silence to honor our former President Ronald Reagan who died Saturday.

Commissioner Warren Taylor opened the meeting with a moment of silence and a prayer.

Commissioner Patrick Woodie made a motion to approve the amended agenda for this June 7, 2004, meeting. Commissioner Graylen Blevins seconded the motion. Vote 5:0.

AGENDA  
Monday, June 7, 2004  
6:30 PM

- 6:30 Meeting Called To Order  
Motion on Agenda for June 7, 2004 meeting  
Motion on Minutes for May 17 regular & DOT meetings
- 6:35 Gary West  
RE: Appreciation  
County Business
1. Secondary Road Resolution
  2. Fairgrounds Fee Schedule
  3. Magnolia Resolutions
  4. Closed Session—NCGS 143-318.11 (a) (3)—legal  
NCGS 143-318.11 (a) (4)—economic development(added)  
NCGS 143-318.11 (a) (6)—personnel
  5. Bristol Compressors Lawsuit
  6. Other Business
  7. Public Comments—30 minutes
  8. Adjourn

Commissioner Sandy Carter Herndon made a motion to approve the May 17, 2004, minutes for the regular meeting and the Department of Transportation meeting. Commissioner Warren Taylor seconded the motion. Vote 5:0.

Gary West was not present for his appointment.

County Manager Don Adams presented the secondary road resolution for FY 2004/2005 program.

Commissioner Patrick Woodie made a motion to approve the secondary road resolution for FY 2004/2005 funding. Commissioner Warren Taylor seconded the motion. Vote 5:0.

County Manager Don Adams presented an amendment to the current use policy for the fairgrounds. He explained that the amendment will apply to all non-profit groups charging an entry fee, and they would be required to pay 20% of net profit to Alleghany County.

Commissioner Sandy Carter Herndon made a motion to approve the amendment to the current use policy. Commissioner Graylen Blevins seconded the motion. Vote 5:0.

County Manager Don Adams presented the resolutions for Magnolia Manufacturing about the money to be paid to Blue Ridge Electric and Skyline during the upcoming budget year for the economic development incentives. He gave the Board an update on the return of investment.

Commissioner Patrick Woodie made a motion to approve the Magnolia resolutions. Commissioner Sandy Carter Herndon seconded the motion. Vote 5:0.

Commissioner Warren Taylor made a motion to enter into closed session under NCGS 143-318.11 (a) (3)—legal, (a) (4)—economic development and (a) (6)—personnel at 6:42pm. Commissioner Patrick Woodie seconded the motion. Vote 5:0.

Commissioner Warren Taylor made a motion to adjourn the closed session and reconvene the regular meeting at 7:53pm. Commissioner Sandy Carter Herndon seconded the motion. Vote 5:0.

Chair Eldon Edwards stated that no action was taken during closed session.

County Manager Don Adams read a press release concerning the Bristol Compressors lawsuit explaining the reasons to not appeal the jury verdict and reviewing the final settlement. He told the Board that Region D Development Corporation has agreed to give their portion of the settlement to the County. He further read the benefits that Alleghany County has received throughout the Bristol Compressors deal starting in 1993. He continued reading the press release regarding a settlement offer from Bristol Compressors that was offered right before the jury returned the verdict. He explained the settlement offer was \$1 million dollars in cash and up to an additional \$2 million dollars tied to future actions of Martin Marietta. He stated that the offer was not in writing, very complex and was presented approximately 15 to 30 minutes before the jury returned with a verdict.

Commissioner Warren Taylor made a motion to re-appoint Mary Walker as the Tax Assessor for an additional two years. Commissioner Patrick Woodie seconded the motion. Vote 5:0.

Chair Eldon Edwards asked for public comments. None were received.

Being no further business, Commissioner Warren Taylor made a motion to adjourn the meeting at 8:08pm. Commissioner Sandy Carter Herndon seconded the motion. Vote 5:0.

Respectfully submitted,

Karen Evans  
Clerk to the Board

Attest:

Eldon Edwards  
Chairman

NORTH CAROLINA        )  
ALLEGHANY COUNTY     )

#### RESOLUTION

#### FISCAL YEAR 2004-2005 SECONDARY ROAD CONSTRUCTION PROGRAM

**WHEREAS**, at a Public Hearing conducted on Monday, May 17, 2004 at 6:30pm in the Conference Room of the Alleghany County Office Building for the purpose of considering the Secondary Road Improvement Program for Alleghany County; and,

**WHEREAS**, the fiscal year 2004-05 Secondary Road Construction Program was presented by the personnel representatives of the N.C. Department of Transportation, with Alleghany County having been allocated \$1,946,419; and,

**WHEREAS**, after hearing the concerns of the citizens of Alleghany County, and in order to expedite the beginning of construction of secondary roads; and,

**WHEREAS**, the Alleghany County Board of Commissioners deemed that the best interest of the citizens of Alleghany

County was to concur with the recommendations as presented by the N.C. Department of Transportation.

**NOW, THEREFORE BE IT RESOLVED**, by the Alleghany County Board of Commissioners that the Secondary Road Construction Fund for FY 2004-2005 be expended in the following manner:

Highway Fund	\$ 1,248,142
Trust Fund	<u>698,277</u>
Total Anticipated Allocation	\$ 1,946,419

PAVING UNPAVED ROADS

- SR 1416A Bald Knob Road -\$300,000  
From SR 1415 to SR 1417 – 1.00 mile.  
Rural Priority #26
  
- SR 1169 Irwin Valley Road -\$350,000  
From SR 1167 to SR 1163 – 1.19 miles.  
Rural Priority #27
  
- SR 1411A Cox Sisters Road - \$90,000  
From SR 1410 to SR VA State Line – 0.30 mile.  
Rural Priority #28
  
- SR 1150 Hoppers Road - \$140,000  
From NC 18 to End of Maintenance – 0.42 mile.  
Rural Priority #29
  
- SR 1323 Corn Field Road - \$150,000  
From NC 113 to SR 1316 – 0.47 mile.  
Rural Priority #30
  
- SR 1132 Pruitt Road -\$150,000  
From SR 1131 to End of Maintenance – 0.48 mile.  
Rural Priority #31

Paving Total (3.86 miles)      \$1,180,000

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GENERAL SECONDARY ROAD IMPROVEMENTS

- Various Spot Stabilization, paved road improvements,  
replacement of small bridges with pipe,  
safety projects, etc. - \$143,000
  
- SR 1464 Strengthen pavement with ACSC Type S-9.5C, 1.5” depth,  
From 1470 to SR 1433 – 2.39 miles. - \$130,000
  
- SR 1415 & SR1412 Strengthen pavement with ACSC Type S-9.5C, 1.5” depth,  
From NC 18 to SR 1412 & From SR 1415 to VA State Line - \$188,000

Paved Road Improvements      \$461,000

UNPAVED ROAD SPOT IMPROVEMENTS

Spot Stabilization \$110,000

SR1117	SR1123	SR1126	SR1129	SR1130	SR1131
SR1132	SR1134	SR1138	SR1139	SR1141	SR1145
SR1148	SR1151	SR1154	SR1156	SR1158	SR1159
SR1165	SR1166	SR1168	SR1170	SR1174	SR1180
SR1183	SR1191	SR1193	SR1300	SR1302	SR1305

SR1306	SR1310	SR1311	SR1313	SR1314	SR1315
SR1317	SR1318	SR1328	SR1332	SR1340	SR1342
SR1344	SR1349	SR1351	SR1352	SR1353	SR1354
SR1355	SR1356	SR1400	SR1401	SR1403	SR1405
SR1406	SR1407	SR1408	SR1409	SR1411	SR1416
SR1423	SR1428	SR1432	SR1434	SR1437	SR1438
SR1439	SR1443	SR1446	SR1450	SR1455	SR1462
SR1468	SR1479	SR1480	SR1501		

CONTINGENCIES

Reserved for Staking, Right-of-Way Acquisition, Road Additions, \$195,419  
Emergencies, Overdrafts, and Paving Entrances to Certified Rescue  
Squads and Fire Departments.

Note: Program Subject to Availability of Funding, Right-of-Way, and Environmental Review. In the event that allocations are greater than anticipated, or roads are not available due to Right of Way refusals, the Department of Transportation will continue by funding the next road or roads on the priority list.

Approved this the 7<sup>th</sup> day of June, 2004.

NORTH CAROLINA            )  
  )  
ALLEGHANY COUNTY        )

RESOLUTION

**WHEREAS**, the Board of Commissioners of Alleghany County, North Carolina is a party to an "Incentive Agreement" between Magnolia Manufacturing, Inc., Town of Sparta, and Alleghany County Economic Development Corporation dated as of March 13, 1998; and,

**WHEREAS**, the Alleghany County Economic Development Corporation has entered into a loan agreement with the Skyline Telephone Membership Corporation to obtain \$125,000 in loan funds that will be used to finance and provide site development activities associated with the Magnolia Manufacturing, Inc. project.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of Alleghany County, North Carolina reconfirms its pledge to provide to the Alleghany County Economic Development Corporation payments of \$1,488.10 due on June 5, 2000, \$8,928.60 due on November 15, 2000, and then semi-annual payments of \$8,928.60 due on June 5 and November 15 for each of the following years until the \$125,000 loan to Alleghany County Economic Development Corporation is repaid to Skyline Telephone Membership Corporation; and,

**FURTHER** that the Board of Commissioners will provide Alleghany County Economic Development Corporation and Skyline Telephone Membership Corporation annually a resolution and pledge in support of the loan agreement and "Incentive Agreement" that the resolution will be authorized in May of each year prior to the beginning of each new fiscal year of the county until such time as the loan between Alleghany County Economic Development Corporation and Skyline Telephone Membership Corporation is repaid.

Adopted this 7<sup>th</sup> day of June, 2004.

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RESOLUTION

**WHEREAS**, the Board of Commissioners of Alleghany County, North Carolina is a party to an "Incentive Agreement" between Magnolia Manufacturing, Inc., Town of Sparta, and Alleghany County Economic Development Corporation dated as of March 13, 1998; and,

**WHEREAS**, the Alleghany County Economic Development Corporation has entered into a loan agreement with the Blue Ridge Electric Membership Corporation to obtain \$30,000 in loan funds that will be used to finance and provide site development activities associated with the Magnolia Manufacturing, Inc. project.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Commissioners of Alleghany County, North Carolina reconfirms its pledge to provide to the Alleghany County Economic Development Corporation as stated in Article VII of the aforementioned "Incentive Agreement" seventy-two equal monthly payments of \$416.67 with the first payment due on June 1, 2000 to Alleghany County Economic Development Corporation and thereafter on the first day of each succeeding month until the \$30,000 loan to Alleghany County Economic Development Corporation is repaid to Blue Ridge Electric Membership Corporation; and,

**FURTHER** that the Board of Commissioners will provide Alleghany County Economic Development Corporation and Blue Ridge Electric Membership Corporation annually a resolution and pledge in support of the loan agreement and "Incentive Agreement" that the resolution will be authorized in May of each year prior to the beginning of each new fiscal year of the county until such time as the loan between Alleghany County Economic Development Corporation and Blue Ridge Electric Membership Corporation is repaid.

Adopted this 7<sup>th</sup> day of June, 2004.