

The Alleghany County Board of Commissioners met in regular session on Monday, October 18, 2004 at 10:00am 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, County Manager Don Adams and Clerk to the Board Karen Evans. Commissioner Patrick Woodie and County Attorney Ed Woltz were absent.

Chair Eldon Edwards called the meeting to order and welcomed everyone to the meeting.

Commissioner Graylen Blevins opened the meeting with a prayer.

Commissioner Warren Taylor made a motion to approve the agenda for this October 18, 2004, meeting. Commissioner Graylen Blevins seconded the motion. Vote 4:0.

AGENDA
Monday, October 18, 2004
10:00 AM

- 10:00 Meeting Called To Order
Motion on Agenda for October 18, 2004 meeting
Motion on Minutes for October 4, 2004 meeting
- 10:05 Mary Walker
RE: Tax Releases & Refunds
- 10:15 Marlene Caudill
RE: Work First Plan
- 10:25 Karon Edwards
RE: COA-Green Thumb Funding
- County Business
1. Workers Comp Budget Amendment
 2. Northwestern Regional Library Appointment
 3. Medicaid Resolution
 4. Wachovia Resolution
 5. Administration Building Bids
 6. Other Business
 7. Public Comments—30 minutes
 8. Adjourn

Commissioner Sandy Carter Herndon made a motion to approve the minutes for the October 4, 2004, meeting. Commissioner Warren Taylor seconded the motion. Vote 4:0.

Mary Walker, Tax Administrator, presented the September 2004 real property requests in the amount of \$6,421.32 for refunds and \$2,022.56 for releases.

Commissioner Sandy Carter Herndon made a motion to approve the real property requests in the amount of \$6,421.32 for refunds and \$2,022.56 for releases. Commissioner Warren Taylor seconded the motion. Vote 4:0.

Mary Walker, Tax Administrator, presented the September 2004 automobile requests in the amount of \$248.98 for refunds and \$749.85 for releases.

Commissioner Warren Taylor made a motion to approve the automobile requests in the amount of \$248.98 for refunds and \$749.85 for releases. Commissioner Graylen Blevins seconded the motion. Vote 4:0.

Mary Walker, Tax Administrator, presented a motor-vehicle appeal for a 1999 Chevrolet Tahoe. She explained reasons for her recommendation being \$12,425.

Commissioner Sandy Carter Herndon made a motion to approve Mary Walker's recommendation of \$12,425 for the motor-vehicle appeal. Commissioner Graylen Blevins seconded the motion. Vote 4:0.

Mary Walker, Tax Administrator, presented a motor-vehicle appeal for a 2001 Toyota Corolla. She explained reasons for her recommendation being \$6,675.

Commissioner Sandy Carter Herndon made a motion to approve Mary Walker's recommendation of \$6,675 for the motor-vehicle appeal. Commissioner Warren Taylor seconded the motion. Vote 4:0.

Mary Walker, Tax Administrator, presented a list of documents that the Tax Office would like to dispose of; 1993 and abstracts and listing forms, 1985 and prior collection records, 1993 and prior tax scrolls, 1996 blank property records cards, deed copies and cards for prior years. She explained the reasons for asking the Board to dispose of these records. She asked that the Chairman sign the Tax Administration Records Retention Schedule and have a copy of the signature page included in these minutes.

Commissioner Sandy Carter Herndon made a motion to approve Mary Walker's request. Commissioner Warren Taylor seconded the motion. Vote 4:0.

Mary Walker, Tax Administrator, discussed the revaluation process including bids received from Cole-Layer-Trumble, Pearson Appraisal and Womplet/Eanes Appraisal. She stated that Pearson Appraisal had the lowest bid. She stated that she has checked on numerous references for them and are satisfied with them to perform the revaluation.

Mary Walker, Tax Administrator, discussed the lowest bid does not include a temporary 30-month full-time position. She explained the purpose of the temporary full-time position being the Tax Office employees will be doing the data entry part of the revaluation and will need assistance with the telephone and greeting the public. She talked about how the Tax Office will have a more hands on approach during the revaluation process.

Rita Miller, Assistant Tax Administrator, explained the purpose of the Tax Office doing the data entry portion of the revaluation.

The Board of Commissioners and Mary Walker discussed the revaluation process.

Mary Walker, Tax Administrator, discussed that the revaluation process will start on February 15, 2005. She reviewed the timeline for revaluation and finding an office for revaluation.

Rita Miller, Assistant Tax Administrator, asked the Board to decide today which company the County would be going with for revaluation.

County Manager Don Adams discussed having the County Attorney review the contract

before final action.

Mary Walker, Tax Administrator, discussed that Pearson Appraisal will only charge for the number of parcels that the County has at the time of revaluation instead of charging a lump sum amount.

County Manager Don Adams discussed the money that is available for the revaluation process in the revaluation fund.

The Board of Commissioners, County Manager Don Adams and Mary Walker discussed benefits for the temporary full-time position.

Commissioner Sandy Carter Herndon made a motion to approve the temporary position with benefits.

Rita Miller, Assistant Tax Administrator, talked about having community meetings in the different fire districts to inform the citizens about revaluation.

Commissioner Warren Taylor seconded the motion on the floor.

Commissioner Graylen Blevins asked is it necessary to offer the benefits for this position.

County Manager Don Adams talked about the amount of money needed to offer all of the benefits.

Commissioner Sandy Carter Herndon, Chair Eldon Edwards and Mary Walker, Tax Administrator, talked about job turnover.

The Board voted on the motion on the floor. Vote 4:0.

Chair Eldon Edwards stated that the Board needs to wait for the County Attorney's review of the contract before voting on the contract.

Mary Walker, Tax Administrator, stated that she will let Pearson Appraisal know that they have the contract contingent upon the County Attorney's review of the contract and the Board's final approval of the contract.

The Board of Commissioners agreed.

Marlene Caudill came before the Board to ask if anyone has any questions on the proposed Work First Plan.

Commissioner Warren Taylor made a motion to approve the Work First Plan as presented. Commissioner Graylen Blevins seconded the motion. Vote 4:0.

Karon Edwards came before the Board to talk about the Green Thumb; now known as Experience Works, employees working for Council on Aging in the past. She told the Board how the Experience Works employees work during meal time at the Council on Aging. She explained that Council on Aging has lost the Experience Works positions due to Experience Works losing their funding. She further stated that Council on Aging is asking for assistance to help with the lost positions in the form of a part-time position. She explained that this position would be a 20-hour a

week position. She further explained that Council on Aging is requesting \$4,100 to fund this request.

Commissioner Warren Taylor and Karon Edwards talked about how the Green Thumb program has lost their funding.

Chair Eldon Edwards and Karon Edwards talked about the type of a person to hire for this position.

Commissioner Warren Taylor made a motion to approve \$4,100 for hiring a part-time position at Council on Aging. Commissioner Sandy Carter Herndon seconded the motion. Vote 4:0.

County Manager Don Adams presented budget amendment General Fund #9 in the amount of \$11,446. He explained that this is for the annual Workers Compensation audit.

Commissioner Warren Taylor made a motion to approve budget amendment General Fund #9 in the amount of \$11,446. Commissioner Graylen Blevins seconded the motion. Vote 4:0.

County Manager Don Adams presented a letter from the library board requesting that Patrick Woodie be appointed to the Northwestern Regional Library Board.

Commissioner Sandy Carter Herndon mentioned that Patrick Woodie will be replacing Harrol Blevins, since his term has expired. She stated that Alleghany County has a total of three board members on the Northwestern Regional Library Board; Frances Buckle, herself and the vacant seat.

Commissioner Sandy Carter Herndon made a motion to appoint Patrick Woodie to the Northwestern Regional Library Board. Commissioner Warren Taylor seconded the motion. Vote 4:0.

County Manager Don Adams presented a resolution to the Board that calls for the retention of Medicare and Medicaid benefits for eligible juvenile and adult inmate in county facilities. He explained the resolution.

Commissioner Graylen Blevins made a motion to approve the resolution as presented by the County Manager. Commissioner Sandy Carter Herndon seconded the motion. Vote 4:0.

County Manager Don Adams presented a resolution for the refinancing of the Jail bond and Sparta Elementary School loan. He stated that this resolution was passed at the last meeting with an incorrect term on the new loan. He further stated that the term will be six years.

Commissioner Sandy Carter Herndon made a motion to approve the resolution as presented by the County Manager. Commissioner Warren Taylor seconded the motion. Vote 4:0.

County Manager Don Adams gave the Board information regarding the bid opening that was held on Friday concerning the basement wall repair on the new Administration building. He explained the roof bids were cancelled because after discussion with the contractors, it was determined that it was best to wait until the main contract is awarded. He talked about the reason for the basement wall repair now. He further talked about the basement wall repair bids coming in higher than originally estimated.

Frank Randel with Hemphill Associates discussed the timing of starting the construction in mid-February.

County Manager Don Adams presented a letter to the Board from Frank Randel concerning the price of construction for this building. He reviewed the increased projected costs of the building. He further reviewed the amount of anticipated loan payments and the increased costs impact to the loan payments.

Commissioner Warren Taylor and Frank Randel discussed the process of rebuilding the basement wall.

County Manager Don Adams talked about the bid amounts does not include any backfilling on this project. He reviewed the plans for backfilling the wall after the wall is completed.

Commissioner Graylen Blevins and County Manager Don Adams discussed the process of backfilling around the wall.

Commissioner Warren Taylor made a motion to approve the proposed contract with Dave's Construction for the basement wall repair.

Commissioner Sandy Carter Herndon asked how Dave's Construction bid was \$62,000 less than the next bid.

County Manager Don Adams explained that he had called Dave's Construction to confirm that they can do the wall for that amount. He talked about Dave's Construction Services has a bid bond and a performance bond as well as the experience they have with the County; Appalachian District Health Department and Blue Ridge Business Development Center.

Commissioner Sandy Carter Herndon seconded the motion on the floor.

Commissioner Graylen Blevins asked if the County Manager is overseeing the project.

County Manager Don Adams stated yes he is.

The board voted on the motion on the floor. Vote 4:0.

Commissioner Sandy Carter Herndon talked about the success for the bicycle event. She further commended Allegheny in Motion for their participation in for the event. She talked about all of the groups that was involved in the making the bicycle event a huge success.

Chair Eldon Edwards talked about giving each Commissioner a letter from Bob Bamberg concerning Allegheny in Motion and the bicycle event.

Commissioner Sandy Carter Herndon reminded everyone to vote.

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 11:15am. Commissioner Graylen Blevins seconded the motion. Vote 4:0.

Respectfully Submitted,

Karen Evans
Clerk to the Board

Attest:

Eldon Edwards
Chairman

BOARD OF COMMISSIONERS OF
COUNTY OF ALLEGHANY, NORTH CAROLINA

Excerpt of Minutes
of Meeting on
October 18, 2004

Present: Chairman _____ presiding, and
Commissioners: _____

Absent: _____

* * * * *

The following resolution was discussed and its title read:

**RESOLUTION CONCERNING FINANCING THROUGH INSTALLMENT FINANCING
AGREEMENT**

WHEREAS, pursuant to the North Carolina General Statutes, the County of Alleghany, North Carolina (the "County") acting by and through its Board of Commissioners (the "Board") is authorized to acquire real or personal property or to construct or repair fixtures or improvements on real property; and

WHEREAS, the County Commissioners acted on October 4, 2004, to (1) refinance a loan with First Union National Bank of North Carolina, now Wachovia Bank, National Association, the proceeds of which were used to finance improvements to Sparta Elementary School and (2) to refund the County's outstanding Law Enforcement Facility Bonds, Series 1991, the proceeds of which were used to finance improvements to the Law Enforcement Center (collectively, the "Prior Debt"), by refinancing the Prior Debt through the use of an installment contract authorized under North Carolina General Statutes Chapter 160A, Article 3, Section 20; and

WHEREAS, the County intends to enter into an Installment Financing Agreement between the County and Wachovia Bank, National Association (the "Lender"), in the principal amount of not to exceed \$2,381,860 (the "Agreement") and an amendment to a Deed of Trust and Security Agreement granting a security interest in Sparta Elementary School to the Lender; and

WHEREAS, Bond Counsel to the County has requested the County Commissioners confirm certain aspects of the financing including that the term thereof will be six years instead of five years;

NOW, THEREFORE, the Board, meeting in regular session at Sparta, North Carolina, on October 18, 2004, does the following:

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEGHENY, NORTH CAROLINA:

1. The authorized financing term of the Installment Financing Agreement is hereby extended to six years from closing.
2. All other actions of the officers of the County which are in conformity with the purposes or intent of this resolution and in furtherance of the execution of the Installment Financing Agreement and the refinancing of the Prior Debt and the satisfaction of the conditions necessary to the delivery of the Installment Financing Agreement, are hereby ratified, approved and confirmed. The representations of the County made in the Installment Financing Agreement are hereby reconfirmed.
3. This resolution shall take effect immediately.

Commissioner _____ moved the passage of the foregoing resolution and Commissioner

_____ seconded the motion, and the resolution was passed by the following vote:

Ayes: _____

Nays: _____

Not Voting: _____

I, Karen L. Evans, Clerk to the Board of Commissioners, DO HEREBY CERTIFY that the foregoing is a true and complete copy of so much of the proceedings of the Board for said County at a meeting duly called and held October 18, 2004, as it relates in any way to the resolution hereinabove set forth, and that said proceedings are recorded in Minute Book 14 of the minutes of said Board. Pursuant to G.S. Section 143-318.12, a current copy of a schedule of regular meetings of the Board for said County is on file in my office.

WITNESS my hand and the common seal of said County, this ____ day of October, 2004.

Clerk

(SEAL)

 Text Box: 65871.000002 RALEIGH 247933v1

ALLEGHANY COUNTY

NORTH CAROLINA

RESOLUTION

CALLING FOR RETENTION OF MEDICARE AND MEDICAID BENEFITS FOR ELIGIBLE JUVENILE AND ADULT INMATES IN COUNTY FACILITIES

WHEREAS, currently a person who is eligible for either Medicare or Medicaid benefits loses eligibility upon being charged with a crime and incarcerated while awaiting trial; and,

WHEREAS, currently the cost of medical care for inmates becomes a county responsibility upon arrest and detention; and,

WHEREAS, the cost to counties for medical care for persons incarcerated in county jails, who would otherwise be eligible for Medicare and Medicaid, is a significant burden on already-strained county budgets; and,

WHEREAS, many people awaiting trial while charged with crimes are released upon posting of bond, on their own recognizance, on house arrest, or on other alternative means of detention and continue to be eligible for Medicare and Medicaid benefits while awaiting trial; and,

WHEREAS, county taxpayers are forced to bear the full health care costs for Medicaid-eligible persons who would receive assistance, but for their placement in a county correctional facility; and,

WHEREAS, the cost to counties creates an incentive against incarceration; and,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners for the County of Alleghany requests of the United States Senate and House that all individuals who are eligible for Medicare or Medicaid prior to arrest remain eligible until such time as they have been convicted of a crime and become a ward of the state or county; and,

BE IT FURTHER RESOLVED, that the Board of Commissioners for the County of Alleghany calls upon our 5th District U.S. House Representative and both our U.S. Senators to work toward achieving this change in federal Medicare and Medicaid policy to alleviate a substantial burden on the counties of North Carolina and other states; and,

BE IT FURTHER RESOLVED, that the Board of Commissioners for the County Alleghany supports the efforts of the National Association of Counties, the North Carolina Association of County Commissioners, and any other organization, state government, or local government that is working to alleviate this substantial burden upon already-strained local budgets.

Adopted this the 18th day of October, 2004.