

The Alleghany County Board of Commissioners met in regular session on Monday, June 5, 2006, at 6:30pm in the Conference Room of the County Office Building, 90 South Main, Sparta, North Carolina.

Present: Chair Eldon Edwards, Vice-Chair Warren Taylor, Commissioner Graylen Blevins, Commissioner Sandy Carter Herndon, Commissioner Ken Richardson, County Attorney Donna Shumate, County Manager Don Adams, and Clerk to the Board Karen Evans.

Chair Eldon Edwards called the meeting to order.

Commissioner Graylen Blevins opened the meeting with a prayer.

Chair Eldon Edwards stated that Mike Caudill will be unable to attend this meeting.

Commissioner Warren Taylor made a motion to approve the amended agenda for this June 5, 2006, meeting. Commissioner Graylen Blevins seconded the motion. Vote 5:0.

AGENDA
Monday, June 5, 2006
6:30 PM

- 6:30 Meeting Called To Order
Motion on Agenda for June 5, 2006, meeting
Motion on Minutes for May 8, 2006, special meeting; May 15, 2006, regular meeting;
May 16, 2006, emergency meeting
- 6:35 Public Hearing
RE: 911 Road Names
- 6:45 Public Hearing
RE: 2006 Solid Waste Plan
- 7:00 Mary Walker
RE: April Tax Refunds & Releases
- 7:10 Mike Caudill (removed)
RE: Dispatch Operations
County Business
1. Long Term Care Advisory Committee Appointment
 2. Region D Development Corporation Appointments
 3. Referendums : School / Library
 4. Other Business
 5. Public Comments—30 minutes
 6. Closed Session—NCGS 143-318.11 (a) (3)—legal
NCGS 143-318.11 (a) (6)—personnel
 7. Adjourn

Commissioner Sandy Carter Herndon made a motion to approve the minutes for the May 8, 2006, special meeting; May 15, 2006, regular meeting; May 16, 2006, emergency meeting. Commissioner Graylen Blevins seconded the motion. Vote 5:0.

Chair Eldon Edwards recessed the regular meeting at 6:32pm and opened the public hearing regarding 911 road names.

Wendy Williams, E-911 Coordinator/Mapper, presented five road names for approval. She explained the location of each road.

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

Chair Eldon Edwards closed the public hearing at 6:35pm and reconvened the regular meeting.

Commissioner Graylen Blevins made a motion to approve the road names as presented by the E-911 Coordinator/Mapper. Commissioner Sandy Carter Herndon seconded the motion. Vote 5:0.

Mary Walker, Tax Administrator, presented the April 2006 real property requests in the amount of \$541.61 for refunds and \$490.03 for releases.

Commissioner Warren Taylor made a motion to approve the April 2006 real property requests in the amount of \$541.61 for refunds and \$490.03 for releases. Commissioner Sandy Carter Herndon seconded the motion. Vote 5:0.

Mary Walker presented the April 2006 automobile requests in the amount of \$236.27 for refunds and \$876.98 for releases.

Commissioner Warren Taylor made a motion to approve the April 2006 automobile requests in the amount of \$236.27 for refunds and \$876.98 for releases. Commissioner Graylen Blevins seconded the motion. Vote 5:0.

County Manager Don Adams presented a letter from High Country Council of Governments requesting that Inez Worrell be reappointed to the Long Term Care Advisory Committee for three years.

Commissioner Sandy Carter Herndon made a motion to reappoint Inez Worrell to the Long Term Care Advisory Committee. Commissioner Graylen Blevins seconded the motion. Vote 5:0.

County Manager Don Adams presented a letter from High County Council of Governments asking the Board to reappoint members to the Region D Development Corporation. He stated that Bryan Edwards, Dennis Gambill, Russell Sheets and himself currently serve on this Board and is willing to serve another term.

Commissioner Sandy Carter Herndon made a motion to reappoint Don Adams, Bryan Edwards, Dennis Gambill and Russell Sheets to serve on the Region D Development Corporation. Commissioner Warren Taylor seconded the motion. Vote 5:0.

Commissioner Ken Richardson talked about this is the third commissioners meeting that he has attended today and is proud of this Board. He further talked about the trip was beneficial because all of the counties have signed the 160A document regarding mental health. He stated that they have been in contact with legislators to get this introduced in the House.

Commissioner Ken Richardson talked about the Senate nor the Governor included any Medicaid relief in their budgets but the House indicates that it will be in their budget.

County Manager Don Adams informed the Commissioners of changes in the Employment

Security Commission (ESC) office because Arvil Scott has taken another job. He explained that ESC has indicated that they do not have plans to fill the position with a full-time person. He further explained that the office will be staffed on Mondays and Thursdays by other ESC employees. He stated that he has spoken to Job Link and is gathering information to show support to the State that a full-time position is needed in the office. He further talked about having a meeting regarding the function of the office and a meeting in Boone on Thursday for a Workforce Summit where he will discuss the issue.

The Board of Commissioners and County Manager Don Adams discussed writing letters to the State and/or contacting our legislators.

Commissioner Warren Taylor stated that he thought we need to get the research together and recommends that we make contacts now and then follow-up with statistics when they become available.

Commissioner Warren Taylor made a motion to make contacts now and then follow-up with statistics when they become available regarding the ESC office. Commissioner Graylen Blevins seconded the motion. Vote 5:0.

Commissioner Ken Richardson mentioned to the Board that Watauga County doesn't have a DMV office, and it sounded like from the meeting that he attended that DMV offices may become a county function. He talked about the motor-vehicle law where the Tax Office will be issuing the tags in 2009. He further talked about the vehicle tax collection rate should go up and will be able to pay for the additional expenses.

Chair Eldon Edwards recessed the regular meeting at 6:52pm and opened the public hearing regarding the 2006 Solid Waste Management Plan Update.

County Manager Don Adams explained a resolution approving the update and the highlights of the update including the goals and objectives, waste reduction goals and operations.

Commissioner Graylen Blevins, Chair Eldon Edwards and County Manager Don Adams discussed the solid waste fee schedule and the need to raise the fees in the near future. County Manager Don Adams explained the revenue sources for the Transfer Facility.

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

Chair Eldon Edwards closed the public hearing at 7:05pm and reconvened the regular meeting.

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

County Manager Don Adams gave the Board information regarding the library referendum. He reviewed the study that was completed in 2000 and that it still applies now. He stated that the Historical Society and Book Store have requested space in the library. He discussed maps showing the library property, old post office property and the new building footprint. He described possible locations of the Historical Society and Book Store.

County Manager Don Adams gave the Board information regarding the referendum process including a memorandum from him, letter from the architect about the project costs, intent

resolution and a memorandum from the attorney showing the timeline to get the referendum on the November ballot. He explained the total projected costs are \$3,671,000 with 50% of the money coming from fund raising and 50% from the bonds. He stated that based on projected costs, he recommends the budget to be \$4,000,000 because of the unknown on how much construction costs will increase while the library raises their half of the money. He explained the resolution states the intent to proceed with the referendum. He further reviewed the referendum timeline.

Chair Eldon Edwards and County Manager Don Adams discussed the issue being a referendum or a lease purchase contract.

Commissioner Warren Taylor stated that a referendum will allow the public to be involved in this decision. He talked about the public support and commitment to raise half of the money.

Commissioner Graylen Blevins and Commissioner Ken Richardson discussed the timeframe to build the new library would be at least November 2008 if the referendum passes at this November election.

Commissioner Ken Richardson talked about the project wouldn't impact the budget until 2008. He further talked about the first task is to convince the public and then raise the funds.

Chair Eldon Edwards and Commissioner Ken Richardson further discussed the installment purchase versus bonds.

Chair Eldon Edwards stated his concern about the property tax rate.

Chair Eldon Edwards and Commissioner Ken Richardson talked about the money will be used when construction starts.

Chair Eldon Edwards reiterated his concern about the property tax increase.

Commissioner Ken Richardson talked about the impact will be \$3,000 for attorney fees for next year, nothing for 2007/2008 and then the project will be budgeted in 2008/2009.

County Manager Don Adams reminded everyone of the \$2,500 Local Government Commission application fee.

Commissioner Sandy Carter Herndon talked about the public has the right to decide.

Commissioner Sandy Carter Herndon made a motion to move forward with the referendum.

The Board of Commissioners talked about when to decide on issuing bonds or using an installment-purchase contract.

Commissioner Ken Richardson seconded the motion on the floor.

Chair Eldon Edwards stated that he is going to vote to proceed with the referendum and see what happens after that.

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

Chair Eldon Edwards talked about a letter he received regarding involuntary annexations.

The Board of Commissioners discussed eminent domain and annexation.

Commissioner Sandy Carter Herndon asked for a copy of the letter for further consideration.

Chair Eldon Edwards stated that he will place letters in everyone's mailbox.

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

Commissioner Warren Taylor made a motion to enter into closed session at 7:47pm under NCGS 143-318.11 (a) (3)—legal and (a) (6)—personnel. Commissioner Graylen Blevins seconded the motion. Vote 5:0.

The Board of Commissioners took a brief recess at 7:47pm.

Commissioner Sandy Carter Herndon made a motion to adjourn the closed session at 8:10pm and reconvene the regular meeting. Commissioner Graylen Blevins seconded the motion. Vote 5:0.

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

Being no further business, Commissioner Sandy Carter Herndon made a motion to adjourn at 8:11pm. Commissioner Warren Taylor seconded the motion. Vote 5:0.

Respectfully submitted,

Karen Evans
Clerk to the Board

Attest:

Eldon Edwards
Chairman

NORTH CAROLINA

ALLEGHANY COUNTY

RESOLUTION

WHEREAS, better planning for solid waste will help protect public health and the environment, provide for an improved solid waste management system, better utilize our natural resources, control the cost of solid waste management; and,

WHEREAS, the North Carolina General Statute 130A-309.09A (b) requires each unit of local government, either individually or in cooperation with other units of local government, to develop a 10 year comprehensive solid waste management plan; and,

WHEREAS, Alleghany County developed the Alleghany County Solid Waste Management Plan in 1997; and,

WHEREAS, three-year updates to the Plan, submitted to the North Carolina Division of Solid Waste Management, are mandatory;

Now therefore, BE IT RESOLVED that the Alleghany County Board of Commissioners hereby approves the 2006 Alleghany County Solid Waste Management Plan Update.

Adopted this the 5th day of June, 2006.

**Resolution Stating Intent To Proceed with a Referendum
For Alleghany County General Obligation Library Bonds**

WHEREAS:

The Board of Commissioners of Alleghany County, North Carolina, has considered the need for capital improvements for public libraries in the County, and in particular the desirability of constructing a new library for the County in partnership with certain organizations associated with the library.

BE IT RESOLVED by the Board of Commissioners of Alleghany County, North Carolina, as follows:

1. The Board makes an initial determination to proceed with a referendum on November 7, 2006, for County general obligation library bonds in the maximum amount of \$2,000,000.

2. The Board makes the following findings of fact in support of its determination:

a) The proposed capital project is necessary and expedient for the County. The Board has engaged in a substantial series of discussions concerning the need for improved library facilities in the County, and has concluded that the proposal now before the Board – including the sharing of responsibility for funding the project and the requirement of voter approval – is in the County’s overall best interest.

b) The amount of bonds proposed is adequate and not excessive for the proposed purpose. The County intends to provide \$2,000,000 in financing for an overall project with an expected cost of approximately \$4,000,000, with any funds needed above the County’s \$2,000,000 payment to be raised from private or other public sources.

c) The County's debt management and budgetary and fiscal management policies have been carried out consistently in accordance with the law.

d) The Board expects a maximum potential tax impact to the County of 2.5 cents per \$100 of assessed valuation from the financing of the library project. The Board believes that any such tax increase will be appropriate and not excessive under all the circumstances if the County's voters approve the bonds. The County will in all cases work to minimize the potential tax impact of any financing in a manner consistent with sound financial policy and consistent with the timing of the project.

3. The County Manager is authorized and directed to proceed with the proper steps toward the authorization of the referendum, including proceeding with an application to the North Carolina Local Government Commission (the "LGC") for its approval of such bonds. The Board appoints the County Manager as the County's authorized representative with respect to the LGC application process.

4. The County Manager is authorized and directed to publish a notice of the Board's intent to apply to the LGC for approval of the bonds. This notice must be in the form prescribed by statute and consistent with this resolution.

5. The Board appoints Sanford Holshouser LLP, as the County's bond counsel with respect to the proposed library bond referendum, pursuant to the terms and conditions previously discussed between such Firm and the County Manager.

6. All County officers and employees are authorized and directed to take all such further action as they may consider necessary or desirable in connection with the furtherance of the purposes of this resolution. All such prior actions of County officers and employees are ratified, approved and confirmed. All other resolutions, or parts thereof, in conflict with this resolution are repealed, to the extent of the conflict. This resolution takes effect immediately.

Adopted this the 5th day of June, 2006.