

The Alleghany County Board of Commissioners met in regular session on Monday, August 1, 2011, 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 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.

Chair Richardson stated that Nancy Keith with the Extension Service and scheduling of the 2011/12 Secondary Roads public hearing needs to be added to the agenda.

Commissioner Roten made a motion to approve the addition of these two items. Commissioner Cox seconded the motion. Vote 5:0.

Commissioner Roten made a motion to approve the amended agenda for this August 1, 2011, meeting. Commissioner Cox seconded the motion. Vote 5:0.

AGENDA
Monday, August 1, 2011
6:30 PM

- 6:30 Meeting Called To Order, Pledge of Allegiance and Silent Prayer
Motion on Agenda for August 1, 2011, meeting
Motion on Minutes for July 18, 2011, meeting
- 6:35 A. Public Comments—30 minutes
B. Dennis Franklin Presentation
C. Public Hearing
RE: E-911 Road Name
D. Wendy Williams
RE: E-911 Road Name
E-911/Mapping Annual Report
E. Frankie Andrews
RE: Prescription Drug Issues
F. Kathy Murphy
RE: Regulations and Exemptions Relating to Farming
F.1. Nancy Keith (added)
RE: Extension Service
G. County Manager's/General Business
1. Joint Meeting Reminder
2. Labor Day Meeting
3. NCACC Annual Conference and Voting Delegate
4. Propane Request for Bids
5. Solid Waste Disposal Fee Request by First Baptist Church
6. Water Authority Resignation/Board Appointment
7. Schedule 2011/12 DOT Secondary Roads Public Hearing (added)
H. County Commissioners' Business
1. Prescription Drug Issues—Commissioner Goudreau
2. Update on New River Behavioral Healthcare—Commissioner Cox
3. How to Proceed with Past Due Taxes—Commissioner Goudreau
4. Other Comments
I. Closed Session—NCGS 143-318.11 (a) (3)—legal
J. Adjourn

Commissioner Roten made a motion to approve the minutes for the July 18, 2011, meeting. Commissioner Smith 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 Mr. Blevins coming before the Board about the need for an additional employee in Social Services and no one asked why the need is increasing. He said the Board adds more and more to the needs but no one ever asks are we getting results for the tax monies spent. He explained that we as a community need to begin to recognize that prayer is the foundation and then

build on that foundation. He quoted the Speaker of US House in 1849. He read a prayer that was offered in the Senate.

Brandon Hawks came before the Board to discuss that he has noticed an ongoing battle between two different ideologies. He said he is talking about our economics. He talked about for years our county has done the same thing; tax and spent. He further talked about the policy. He said at one time he asked for an economic developer, which he regrets. He asked what the government's job is. He talked about the tax increase and at whose expense is it. He further talked about the tax increase in the town and the tax increase in the county. He asked what about the small business owners struggling to meet their bills. He further asked what it takes to operate a business; starting with the federal government and provided numbers for what the federal government charges, let alone adding the state, local, municipalities. He said what would he do, he would do nothing because it isn't the government that controls the economy the people do and it is called entrepreneurships.

Chair Richardson asked for additional public comments.

Kathy Murphy talked about National Night Out Against Crime tomorrow night at Crouse Park. She said it is sponsored by The Razors EDGE Skate Park and Youth Ministry and Town of Sparta Police Department. She explained that it is a family event with free food, and invites everyone to attend. She further explained that it is an annual event and their goal. She said she hopes to see each person there.

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

Chair Richardson, on behalf of the Board of Commissioners, presented a plaque to Dennis Franklin for his dedication to the citizens of Allegheny County including being a charter member of the Voluntary Farmland Preservation Board.

Paul Edwards, Chair of the Soil and Water Conservation District, presented a plaque to Dennis Franklin for their appreciation of his services as a charter member of Farmland Preservation Board and also as a charter member of Soil and Water Board in the 50s.

Dennis Franklin stated his appreciation and said it is a blessing to be honored. He talked about his involvement with Soil and Water over the years. He thanked Soil and Water members/staff and the County Commissioners. He said that he prays that the Commissioners will stand for the right thing regardless.

Wendy Williams, 911 Coordinator/Mapper, came before the Board to present one road for the Board's approval; Crouse Farm Lane. She explained the road's location and fire district.

Chair Ken Richardson opened the public hearing regarding the 911 road name at 6:46pm and asked for public comments. None were received. He closed the public hearing at 7:03pm and reconvened the regular meeting.

Commissioner Cox made a motion to approve the road name as presented by the E-911 Coordinator/Mapper. Commissioner Roten seconded the motion. Vote 5:0.

Wendy Williams presented the annual report for the E-911/Mapping Department. She reviewed the activities for the E-911 portion of their office; number of roads named/road signs made/road signs salvaged and replaced/E-911 addresses assigned/numbers verified through Century Link/changes made to those records/number of wire line calls and cell phone calls. She talked about having a mobile command unit post. She reviewed the activities for the Mapping portion of their office; number of deeds processed/parcels transferred/subdivisions/major and minor map adjustments/splits/combinations. She talked about the number of parcels, the layers of GIS data and the number of hits to their website. She further talked about statewide aerials were flown in 2010 and received in 2011.

Frankie Andrews showed a DVD about the dangers of prescription drugs and the need for prescription drug awareness. He talked about his sister lost two sons to prescription drugs. He talked about 12 years ago there wasn't a prescription drug problem. He talked about how/why his nephews starting taking prescription drugs. He said his point is when it becomes a problem. He talked about the need to talk to our kids and thinks society has gotten away from that. He provided statistics from Florida. He said it is time for America to stand up and find out what the problem is. He talked about the number of children who need help. He further talked about things people can do; talk to the kids, lock medicines up. He encouraged the County to create a task force. He said that Surry County has one and the things that they do. He urged the Board to talk to the legislators about stricter laws and

encourage doctors to look at who is doctor shopping. He encouraged the Board to put something together. He thanked the Board for allowing him to speak.

Craig Williams presented information about what they have done in regards to prescription drugs; Town and County. He provided prescription drug death statistics for 2008, 2009, and 2010. He stated that they have been steady but slightly increasing. He talked about they organized Operation Medicine Drop. He said they appreciate the Board's support regarding this issue.

Commissioner Goudreau thanked Law Enforcement and Frankie Andrews for what they are doing, and the need to do something. He said he will try to do everything he can to correct this problem. He said it takes all of us.

Commissioner Smith thanked Frankie Andrews and encouraged him to spend time with the Board of Education to educate them about this problem.

Commissioner Cox talked about programs that are in place in the schools.

Frankie Andrews talked about they have started a small scholarship at Alleghany High School and how it works. He said that it is one small way that they are trying to get awareness out there.

Kathy Murphy provided information to the Board that she received at a School of Government (SOG) seminar last week. She said that the information is for their use. She talked about this year they changed the definition of agriculture and read the definition. She explained that she gave the Board a copy of the definition and it breaks down the different sections. She said that House Bill 168 passed, and she read it. She talked about the provisions. She explained that these mainly refer to zoning and land use. She talked about building permits and what is required, defined by function. She provided information and examples about green houses, horse stables and produce stands. She talked about one portion affects the Town more than the County in regards to annexations of farmland into town limits. She said the seminar talked about helping to promote local farms. She further said that it had interesting presentations, legislative updates about land use and provided an overview of the different bills. She talked about one interesting bill about ordinances where people had two months from the date of ordinance to appeal it, and now with the new law people's time doesn't start until the standing time starts, this could affect how long someone could question an ordinance. She talked about a couple of examples of litigation against municipalities and discussed an example of a sign ordinance. She said it was a very interesting conference. She said the reason she wanted to come before the Board was she would like to see the Planning Board work on the definitions to meet the State statutes more so everyone is on the same page.

Commissioner Smith and Kathy Murphy talked about 2011 legal update from the SOG, case and the outcome. She explained that some of the update was new laws and some was just an update.

County Manager Don Adams stated he appreciates the information. He said that the Property Rights Protection Ordinance does have definitions, and he would instruct the County Attorney and County Planner to review the definitions to make sure that our definitions comply with the State law; counties have to meet the minimum but can add more. He talked about if the Board chooses to change the ordinance that is a different conversation. He gave an example of a change.

Chair Richardson thanked Kathy Murphy for the information.

Nancy Keith, Interim Extension Service Director, came before the Board to discuss a couple of staffing issues; when the 2011/12 budget was completed she didn't know that the State would allow compensation for a Master's Degree and they will, 30% of Extension Service funding is County and the remainder is State and the other thing is in the West Central District there are currently 18 vacant positions, Alleghany County's Family & Consumer Science position is one of those positions and is currently ranked 17 out of 18 so it will not be filled, current 4-H Agent is willing to take on additional duties which will enable Alleghany to have Family & Consumer Science services provided. She explained for both requests it is a total increase of \$2,428 for Alleghany County's portion, which will allow the acknowledgement of the Master's Degree and allow services to be provided for Family & Consumer Science.

Chair Richardson clarified that the two requests involve additional responsibility and obtaining a Master's Degree. Nancy Keith agreed and explained the total amount of the increase.

Commissioner Smith and Nancy Keith talked about how portions of both positions overlap. She provided examples and stated that one person can do both.

Commissioner Cox and Nancy Keith talked about the Family & Consumer Science position, District ranking and her recommendation is to combine the two positions to fill the void that Alleghany County has.

Commissioner Goudreau and Nancy Keith talked about this is an open position right now and the County's portion is \$2,428.

Commissioner Roten made a motion to honor the requests. Commissioner Cox seconded the motion. Vote 4:1 (John Goudreau).

Commissioner Roten and Nancy Keith talked about the status of the Research Station this year. She stated her appreciation for the Board's efforts regarding the Research Station.

Chair Richardson declared a brief recess at 7:53pm.

County Manager Don Adams reminded the Board about the Joint Meeting with the Sparta Town Council on August 29 at 7:00pm in the Board Meeting Room of the County Administration Building.

County Manager Don Adams asked the Board about the Labor Day meeting.

The Board discussed dates and times for the meeting. They decided on September 6 at 6:30pm.

County Manager Don Adams discussed the County Commissioners Annual Conference later this month. He said for the Board to tell Karen Evans if they want to go. He talked about the need to select a voting delegate for the conference.

Commissioner Smith said he is planning to go but he cannot be there for the entire program.

Chair Richardson stated that he is planning to attend.

Commissioner Smith made a motion to appoint Chair Richardson as the voting delegate. Commissioner Cox seconded the motion. Vote 5:0.

Chair Richardson encouraged all of the Commissioners to go that can because the workshop tracks are ready good.

County Manager Don Adams told the Board that Request for Bids for propane went out today. He explained that the bids are due on August 12 at 2:00pm then at the next meeting he will bring the bids back before the Board to award the bid.

County Manager Don Adams presented a letter from First Baptist Church asking the Board to waive the landfill charges for their roof replacement. He said that this is a follow up from the request granted to the Presbyterian Church. He talked about this has been on a case-by-case basis. He said that if the Board proceeds with this request, he asks that a policy is created for the next time he is approached about waiving the fees.

Commissioner Smith said that he remembers the last one and has thought about this. He talked about the possibility of limiting this to roofing only.

Commissioner Smith made a motion to limit this to roofing only. Chair Richardson seconded the motion.

Chair Richardson and County Manager Don Adams talked about ways to proceed. The County Manager stated that this is open for any discussion, and he needs to know because the County will start to get approached more with this issue.

Commissioner Goudreau said if the Board grants this for churches then should it be for all non-profits then what about the for-profits. He said he cannot support establishing a policy that will create a can of worms.

County Attorney Donna Shumate talked about the Board has already set precedent with the prior request.

County Manager Don Adams Board's talked about Boards change policies all of the time. He explained that the other request was for a partial roof. He reiterated that if the Board is going down this road, then a policy needs to be established. He said the Board has set a precedent but the Board can also change their minds.

Commissioner Roten talked about in the past the Board has exempted people for things like lack of insurance.

County Manager Don Adams provided examples of past incidents.

Chair Richardson asked Commissioner Smith to withdraw his motion until additional information is brought back.

Commissioner Smith agreed.

Chair Richardson asked the County Manager and County Attorney to come back with additional information.

County Manager Don Adams read a letter from Randy Miller about resigning from the Virginia/Carolina Water Authority. He talked about accepting the resignation and then appoint someone to fill the term which expires on June 30, 2012.

Commissioner Cox made a motion to accept Randy Miller's resignation. Commissioner Roten seconded the motion. Vote 5:0.

Commissioner Smith made a motion to appoint Chair Richardson to fill the vacant term. Commissioner Cox seconded the motion.

Commissioner Roten stated that he has no problem with the Chairman serving on that board. He said he thinks it should be an active Commissioner serving on that Board. He asked can the Commissioners not stipulate that it must be an active Commissioner on that committee.

County Manager Don Adams said he would have to defer to legal because of the language in the bylaws, and they are their own Authority.

Chair Richardson and Commissioner Roten talked about addressing this during the first meeting in December annually.

County Manager Don Adams reiterated that this appointment goes until June 30, 2012, to complete the four-year term.

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

County Manager Don Adams talked about his appointment expired on June 30, 2011, and the way the bylaws read is that he is still an active member until he is reappointed or someone else is appointed. He explained that he is currently the Secretary/Treasurer of the Authority.

County Manager Don Adams talked about scheduling the Department of Transportation Secondary Road public hearing for 2011/12. He explained how it has been handled in the past, and they are looking at September or October.

The Board talked about dates and times. They decided on Monday, October 3 after the Board's regular meeting.

Commissioner Cox asked does the Board need to take action on the County Manager's reappointment to the Water Authority.

County Manager Don Adams said however the Board wishes to do it.

Commissioner Cox made a motion to reappoint the County Manager to serve another term on the Water Authority. Chair Richardson seconded the motion.

Commissioner Cox talked about it is cleaner and clearer if the County Manager is reappointed.

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

Commissioner Goudreau talked about the prescription drug issues, thanked Frankie Andrews and everyone that came to this meeting. He said that the Commissioners have copies of the video that was shown and he is leaving his in the County Manager's Office if anyone wants to see it.

Commissioner Cox provided an update on New River Behavioral Healthcare (NRBH); every month he tries to update the Commissioners on the status of NRBH and what occurs at NRBH, a lot of stuff happened before he came on the Board. He said he would like to acknowledge Pam Andrews, Paige Stevens and all of the employees. He reviewed that NRBH was the only provider in the five-county area, makeup of the five-county area, Commissioners role on that Board, Allegheny citizens provide more money per person than any of the other five counties, entered into the 160A agreement, State mental health reform which required NRBH to give up the LME, current trend for LMEs, Allegheny County's money goes to Smoky, which Ken Richardson sits on that board, then the money is distributed to the counties, system worked pretty well until a few years ago, billing/management issues now, NRBH is looking for another LME to handle their funding, there have been many meetings regarding this to try to get things moving along, if it comes to choosing another LME then NRBH would have to come before the Commissioners because as he understands it any move would require affirmative action of the five-county-area Boards of Commissioners, trend is to consolidate and merge, explained Medicaid waivers, many changes, many meetings. He said that he just wanted to bring the Commissioners up to date on where they are. He said that in the long run the Commissioners may see people from both boards come to the Commissioners for a change.

Commissioner Cox talked about the Chairman's 10 points where he asked if this is the best provider system for Allegheny County, his wife worked for NRBH as a contract employee for six years, and he knows how hard employees work at NRBH, the Board supports the employees and is lucky to have these folks working for NRBH in our county. He said he wanted the employees to hear that. He further said nothing is set in stone, things change over the years, staff are respected and depended upon by the citizens and wants everyone to know how much the board appreciates them.

Commissioner Cox talked about NRBH coming to give a quarterly report because the Commissioners would like to hear the good things happening in Allegheny County and how the money is being spent.

Commissioner Goudreau talked about how to proceed with past due taxes, \$1,400,000 that is owed to Allegheny County, he set down with Mrs. Miller, and they are doing a good job, implemented some things, and how to keep the Board updated. He talked about Mrs. Miller is looking at different avenues for tax collection. He said that this is a serious matter and the need to collect the past due taxes.

Commissioner Cox asked if the Board can consider establishing 30 days to pay past due taxes without interest.

County Attorney Donna Shumate stated the Board cannot legally do that.

County Manager Don Adams explained that if a citizen would take issue with that then each individual Commissioner would be responsible.

Commissioner Cox said we need to get creative on how to collect past-due taxes.

Commissioner Goudreau talked about getting a monthly update, collection efforts are underway, but asked as a Board what the Commissioners would like to see on the reports.

Commissioner Roten said he thinks this Board should support the Tax Administrator in collection of taxes any way legally possible. He said it is not fair because everyone should pay their taxes.

Commissioner Goudreau made a motion to enter into closed session at 8:42pm under NCGS 143-318.11 (a) (3)—legal. Commissioner Cox seconded the motion. Vote 5:0.

Commissioner Cox made a motion to adjourn closed session at 9:39pm 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 Goudreau made a motion to adjourn at 9:40pm. Commissioner Cox seconded the motion. Vote 5:0.

Respectfully submitted,

Attest:

Karen Evans
Clerk to the Board

Ken Richardson
Chairman