

The Alleghany County Board of Commissioners met in regular session on Monday, October 17, 2011, at 10:00am 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 a resolution for Glade Creek Volunteer Fire Department needs to be added to the agenda under General Business.

Commissioner Cox made a motion to approve the amended agenda for this October 17, 2011, meeting. Commissioner Smith seconded the motion. Vote 5:0.

AGENDA
Monday, October 17, 2011
10:00 AM

- 10:00 Meeting Called To Order, Pledge of Allegiance and Silent Prayer
Motion on Agenda for October 17, 2011, meeting
Motion on Minutes for September 28, September 30, October 3, October 3, and October 7, 2011, meetings
- 10:05 A. Public Comments—30 minutes
B. Rita Miller
RE: September Releases and Refunds
September Collections Report
Residential Solid Waste Fee Release Request
Update on Collections
- C. Shane Atwood
RE: Lawson Support Services
- D. Smoky Mountain Center
RE: Mental Health Services
- E. Kate Cosner
RE: Supply Boxes Equipment Purchase
- F. Red Cross Annual Report
- G. Partnership for Children Annual Report
- H. General Business
1. Cascade Highlands Request Letter
2. Budget Amendment—New River/Smoky Mountain Center
3. Smoky Mountain Center Letter/Resolution
4. Glade Creek Volunteer Fire Department Resolution (added)
- I. Commissioners Business
1. Request to Change December 5 meeting to December 12—Chair Richardson
- J. Closed Session—NCGS 143-318.11 (a) (3)—legal
NCGS 143-318.11 (a) (5)—contracts
- K. Adjourn

Commissioner Cox made a motion to approve the minutes for the September 28, September 30, October 3, October 3, and October 7, 2011, meetings. Commissioner Goudreau 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 according to what he reads in the news the citizens of Alleghany County may have to pay for the financial situation with New River Behavioral Healthcare (NR). He stated there seems to be a lot of blame to go around. He talked about Smoky Mountain Center and Brian Ingraham played their role, the Board of Commissioners in the counties had a vital interest but they too were accomplices. He said there is one common denominator, Ken Richardson. He talked about Ken Richardson's relationship on the New River board, Board of Commissioners, Smoky Mountain Center. He reviewed minutes from Smoky Mountain Center regarding Brian Ingraham and New River's minutes regarding Ken Richardson's comments/activities. He continued down the timeline of reviewing minutes involving Ken Richardson's discussions/comments/actions from New River Behavioral Healthcare, Alleghany County Board of Commissioners and Smoky Mountain Center. He asked if Ken Richardson had concerns about NR why didn't he share this information with

Commissioner Cox or the other Commissioners and why didn't he make these concerns public. He said that, at best, Chair Richardson has failed to protect the taxpayers of Allegheny County. He said Chair Richardson should resign as a County Commissioner, which isn't likely going to happen. He asked the Board to remove Chair Richardson from the Smoky Mountain Center Board. He read a prayer that was offered in the US Senate.

Chair Richardson asked for additional public comments.

Brandon Hawks said how 5 counties cannot see a disaster like this coming he doesn't know. He further said that this is why he supports the free enterprise system. He talked about Allegheny County's liability is near \$112,000, which is a lot of money. He said the only advice he offer is to cut spending now, people can't take another tax increase, inflation is up, and today's economic thinking is government should do something. He talked about full employment/full production. He reiterated that we must cut spending now. He talked about putting the burden on the people doesn't work. He said to consider the macro size of state/local governments that are in deep debt. He talked about information from GAO and debt across the country for state/local governments. He said that we need to get serious and put faith back into the people.

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

Rita Miller, Tax Administrator, came before the Board to present the September auto releases and refunds.

Commissioner Roten made a motion to approve the September auto releases and refunds. Commissioner Cox seconded the motion. Vote 5:0.

Rita Miller presented the September real property releases and refunds.

Commissioner Cox made a motion to approve the September real property releases and refunds. Commissioner Roten seconded the motion. Vote 5:0.

Rita Miller presented the September 2011 collections' report. She reviewed the amount billed, collected and the collection rates for real property and vehicles.

Rita Miller presented a residential solid waste fee appeal for a mobile home. She explained that the mobile home is livable but doesn't have a well or septic and no power. She said that her recommendation is to release the solid waste fee.

Commissioner Roten made a motion to approve the request. Commissioner Smith seconded the motion. Vote 5:0.

Rita Miller explained a written statement of taxes due and deed certification process. She further explained that she met with the County Attorney to review the practices of the Tax Office and come up with some options for the Board. She presented 2 options to the Board for their consideration: Option A, written statement of taxes due form completed, if a previous form had been completed that did not include personal property, they will not require the personal property taxes to be paid for the deed certification but a form that hasn't had personal property listed on it can have the delinquent personal property taxes listed on the deed certification and will proceed in requiring the personal property taxes be paid; Option B written statement of taxes due form completed, personal property listed on the statement does not have to be paid prior to deed certification. She stated that Option A is her recommendation.

Commissioner Smith asked the County Attorney for her opinion. County Attorney Donna Shumate stated that they met and discussed the problems on both sides. She explained that Option A alleviates the problem that she spoke to the Board about earlier.

Commissioner Cox and County Attorney Donna Shumate talked about we are not giving up collecting the taxes but just going about it another way.

Commissioner Cox made a motion to approve Option A as recommended by the Tax Administrator. Commissioner Roten seconded the motion. Vote 5:0.

Rita Miller talked about the progress on the Debt Setoff program.

Commissioner Cox and Rita Miller talked about getting this information out to the public.

Commissioner Roten and Rita Miller talked about payment schedules for individuals making payments and one where it's at a rate that it will never be paid in full. She explained that there isn't a set payment schedule requiring a certain percentage. She further explained that the one he is talking about she has talked to their lien holder. They discussed when a taxpayer specifies what year for the taxes to be paid on the Tax Office has to apply it that way. He stated that he doesn't want to see something become uncollectible. She explained that if the Tax Office doesn't hear from the lien holder she will turn the information over to the County Attorney.

Commissioner Cox and Rita Miller talked about even if people are making payments it can still be submitted to the Debt Setoff program.

County Manager Don Adams and Rita Miller talked about payment plans are for all delinquent taxes including vehicles.

County Manager Don Adams stated that they are going to seek a more in depth legal opinion and research about collecting prior years' taxes. He asked Rita Miller to give each Commissioner a copy of the deed certification so the Board can review it. He talked about seeking a legal opinion on prior certifications and how to collect.

Commissioner Cox said he doesn't want people to not think the Commissioners aren't sympathetic to their concerns. He stated his appreciation for the Tax Administrator working with people. Rita Miller stated that a lot of people don't realize the Tax Office can do payment schedules.

Shane Atwood with Lawson Support Services asked that Item D be heard before Item C because there could be a lot of repeated information.

Christina Carter, Chief Operating Officer with Smoky Mountain Center (SMC), asked where the Board wants her to start.

Commissioner Cox talked about hearing how this happened, the process and an update about where we are.

County Manager Don Adams explained that he sets the agenda, and it is first come first serve. He talked about the agenda process. He explained that there have been a lot of questions about Lawson providing information, things are moving fast, and he thought that SMC could provide information. He reiterated that his thought was to get everyone in the same room at the same time.

Christina Carter talked about the timeframe of events. She began by stating that SMC was notified in writing by Pam Andrews on September 29 of the possibility of moving forward with the closing of New River (NR) because of financial complications and even prior to that they had been working with NR on a regular business. She said it was been 18 days since that notification. She stated that this action also involves Crossroads. She explained that this involves 13,000 consumers across 8 counties and roughly 325 staff. She stated that it has been hard to get the data they need. She said after they were notified they moved swiftly and have worked in accordance with the rules and regulations for LMEs. She further said this is such a different, unique situation because of the 160A agreement, they were waiting on the NR board and the newly created board of NR to respond about how they are going to respond to this information and SMC would have responded differently and quickly. She said that SMC has been totally involved with NR and Crossroads. She continued with the timeline of the September 29 letter from Pam Andrews, October 4 SMC issued a communication with their other providers because of NR's CAHBA certification and information needed to go out to all of their other CAHBA providers along with a survey to be submitted by October 7. She talked about what all was taken into consideration about selecting another service provider. She reiterated what is the LME's statutory responsibility, and that this process was not a request for proposals or an application process, took into consideration the criteria in which SMC was doing, highlighted the authority of the LME, this is a requirement to act accordingly and move forward. She talked about the different things they looked for; experience to handle large transitions, experience with SMC, current status of CAHBA, providers who had experience with other LMEs and how that relationship was, serving a minimum of 5,000 people, experience in a managed care organization, provided a comprehensive array of mental health services, how quickly they can start. She said the start date is November 1, and they took all of this into consideration and decided to interview 3 out of 15. She said they have 4 offices; Sylva, Waynesville, Lenoir, Boone. She explained that the providers were interviewed in the Lenoir office and asked very specific questions, at the NR meeting last week SMC announced that Daymark Recovery Services will be the service provider. She talked about NR's case management program that has 300 consumers and 11-12 staff, which Daymark will not be doing because that is not their specialty. She stated that an announcement should be made in the next day or two about who will be providing those services. She talked about they are working with the senior staff on the transition.

Commissioner Smith asked who made the decision. Christina Carter listed out the members of the interview committee; she, Genny Pugh, Lisa Slusher, Dr. Stephen Puckett plus Brian Ingraham participated some. He clarified that this was 3 different entities interviewed. She answered yes, and explained that some times there were multiple providers to offer the specialties as one. They talked about no one interviewed could offer all of the services.

Christina Carter introduced Billy West, who is the CEO of Daymark Recovery Services. She explained that Daymark will also be working with Crossroads.

Commissioner Cox asked did Crossroads participate in the interviews.

Christina Carter answered yes they did and explained that they had 6 interested where SMC had 15 interested in providing services, and Crossroads went through a similar process as SMC for the selection of a new service provider.

Billy West provided information about his background in mental health and with Daymark Recovery Services including they started with 5 counties and now are serving 28 counties treating about 40,000 people a year. He talked about they already do some of the services provided in the southern region of SMC through telemedicine, experience with the divestiture of 18 actual locations with 3 of those being a total collapse of the service network. He said this short notice will be extremely challenging but it isn't to the point that they have seen in other places. He stated six things he has heard; his relationship with Brian Ingraham, their relationship with CAHBA, plan for NR employees and services and he has been immersed in NR since Wednesday night meeting with staff, their thoughts about being here today, use of board members as an advocacy, what small providers in the area have to say. He asked the Board where they want him to start or where they want to go with these conversations.

Commissioner Cox said he mentioned some points and said that the track record would be a good place to start, previous transitions and how they went.

Billy West talked about the first transition that they dealt with was they had 5 to transition over a period of six months, went pretty well, took one county at a time, learned to do it all at one time, that system had 8,000 patients and in 2 years has 16,000. He talked about they use a payer-source-blind model and explained what that means. He explained in the waiver environment the need to contain costs. He described the transition of Centerpoint Human Services Area which was 3 counties that was a private not-for profit group, very similar to NR, end came quickly, previous environment was you pay whatever it takes to provide the services, came in and took over unlike the other counties offered services on day one and it took about a year to get to the point that they weren't having to address issues weekly and this has been very successful and the Area has added another county, Rockingham. He explained Rockingham was a 160A with a similar situation as NR, and they took it over. He further explained with Sandhills they have 8 counties and had 4 months to take over the services. He talked about they have started up a few new programs, activities during the past year, working on a day-treatment program which is funded by Guilford County, PBH beta tester, able to do a lot of things that some LMEs and providers cannot do regarding information technology.

Commissioner Smith asked what Daymark anticipates the situation will be with NR employees.

Billy West stated that November 1 is the quick date. He explained that they don't have time to do their normal process. He further explained that after they were announced last Wednesday night, he immediately met with the interim director, met in Wilkes County first thing Thursday morning, had a question/answer session then visited each of the NR and Crossroads counties with direct questions/answers, told them the process, made it clear that there are not a lot of differences between Daymark and NR, talked about things that are similar and things that are different, Monday/Tuesday interviewing staff, getting the paperwork done, regional managers hired by Wednesday and the rest of them by Friday is the goal, then train managers and hold orientation. He said that November 1 will have current Daymark employees working beside of the new Daymark employees.

Chair Richardson and Billy West talked about Daymark is a 501 (c) (3) company.

Commissioner Cox said he had never met Billy West before last Wednesday when the announcement was made. He stated that he was impressed that he took the managers and met with them immediately, local people feel the best they have felt in weeks, reiterated the timeline for employees. He talked about Daymark is on the ground running, and that is impressive. He explained his 3 goals; limit liability as much as possible, continue to provide services, protect employees. He asked Billy West to speak about the commitment to bring local employees into the Daymark.

Billy West provided information about Davidson, Winston-Salem transition where their key was they wanted to hire local. He talked about it has to be local people that understands the local systems.

He said he doesn't know the number of jobs yet. He provided examples of Davidson, Sandhills and Hope Ridge's background about employment where they knew what they were going into. He explained that NR offers like services but they have nothing else because of the conflicting numbers. He further explained that they can look at the current services offered but right now can't tell anyone how many employees they will hire. He stated that they are interviewing 100% of the current staff and the recently laid-off staff. He reiterated that they don't know employment numbers at this point.

Shane Atwood talked about he requested to be on the agenda about a proposal from Lawson Support Services (LSS) to save NR, a proposal that offered some alternatives, but everyone is past the point where that would be useful information. He said he had 2 points that he wants to hit on and talk about what are the options. He said a lot has happened in 18 days; made aware of NR's situation, dissolved NR, replacement selected with a plan to save everyone. He said that he had 4 reasons to continue this presentation; LSS currently serves 4 out of the 5 NR counties, Allegheny County is where their office is, saving and/or creating jobs in the mental health field, protecting the services for the people who need it most, minimize the amount of taxpayer money because of the decision that has been made and protecting the non-mental health clients for the mental health of the county. He talked about mental health services provided in the county are to help minimize the costs in the jail and the emergency rooms which extends beyond the people who get mental health services. He explained that everyone in mental health has had problems paying their bills over the last couple of years for several reasons including the Medicaid cuts from the State. He talked about an article in the Wilkes Patriot Journal of NR's former chairman Zach Henderson's response: NR's expansion into the central region at the request of SMC, SMC didn't live up to the financial obligation they promised after the expansion and the contract was taken away from NR by SMC; former CFO recommended to NR by SMC to fill an open position, it became apparent that the audit for 2009-10 showing a lost of \$200,000 wasn't accurate it was substantially more and where does the responsibility lie for that; he was chair for 2 years and set on the board for 7 years believed that SMC helped the cause of the demise of NR. He proceeded to explain other issues such as a fraud investigation and how we are where we are. He described that LSS had a similar situation in 2010 where they had 90 days to go through the appeal process, everything was completely aired out and put back all of the damages that was done to LSS. He asked what if NR had 90 days to go through the appeal process. He said he has spoken to several NR employees who are confident that the investigation will not turn up anything. He asked the question was this part of the plan or was it just bad timing and what happened as this result could have just been a perfect storm. He talked about NR dissolved, the new NR board will dissolve November 15, asked how will SMC will benefit from this, letter was delivered to each Commissioner by former county commissioner and NR board member Milly Richardson, 160A provided the counties more power about the operation of NR rather than SMC, NR was the only 160A left in the State. He quoted an article in the Winston-Salem Journal about NR possibly changing LME's to Crossroads from SMC. He said that SMC is very proud that they have developed a waiver problem that is going live in July 2012. He explained that if NR had pulled out, all of that work would have been gone, and SMC would have had to merge with another LME because of their size. He talked about LSS is a small organization, no problem with Daymark, worked a lot with NR, and has a lot of respect for any provider that can survive in this field. He talked about the current CEO of SMC and provided Brian Ingraham's timeline of his association with Daymark Recovery Services. He talked about SMC did not have time to investigate but had time to develop the criteria. He reviewed the criteria by SMC for the new service provider and questions that were never asked. He said everyone will have to ask themselves if there is a conflict of interest when Daymark was appointed as Allegheny County's mental health provider, and was there an agenda. He explained that Brian Ingraham made an appeal to each one of the Commissioner Boards to act quickly to dissolve the 160A. He said that each County Commissioner in each county received a proposal, as did SMC, from LSS to provide the time needed for NR. He reiterated where we go from here. He made a proposal that the Allegheny County Board of Commissioners launch an investigation from front to back because it is important to know what brought everyone to this point.

Commissioner Roten said some of things that have been said bothered him from the beginning. He further said that the Board was put in a no-win situation.

Chair Richardson declared a brief recess at 12:03pm.

Kate Cosner, Board of Elections Director, came before the Board to ask for monies for new supply boxes. She referred to a handout that describes the new boxes, original price for 7 boxes, and sale price for 7 boxes. She explained that the supplies in front of the Commissioners are the supplies that each precinct must carry. She further explained that she is asking for \$560. She explained that the supply boxes are on sale for half price of what they normally are. She gave the Board a color copy of the requested boxes.

County Manager Don Adams explained why she is making this request to the Board.

Commissioner Smith and Kate Cosner talked about the precinct chair is responsible for returning all of this equipment on election night. She explained that there are 4 female and 3 male chairs with the average age of 62.

Commissioner Roten and Kate Cosner talked about these supply boxes will roll into each precinct because all have smooth entrance surfaces as part of the ADA requirements.

Commissioner Roten made a motion to grant the request. Commissioner Smith seconded the motion. Vote 5:0.

Rebecca Matherly, Executive Director of the Wilkes-Alleghany Chapter of Red Cross, presented their Annual Report. She talked about their activities during the past year. She explained that the Wilkes-Alleghany chapter has merged into the Boone chapter. She further explained the purpose of the merger, and where they are housed in Boone. She talked about how services will still be provided as they have been and Alleghany money goes to help Alleghany people.

Kim Shaw, Executive Director of the Partnership for Children, came before the Board to present their annual report. She explained that the Partnership consists of 3 organizations DANA, Family Resource Center (FRC) and Smart Start. She reviewed activities for each of their organizations. She explained that the FRC provides some transportation services for their clients. She discussed a letter from the Partnership for Children. She talked about FRC's current vehicle is a 1995 Ford Aerostar van. She provided the background of looking at a replacement vehicle. She said that they respectfully request the transfer of the out-of-service AIM van to the Partnership for Children. She further stated that they also use their van for the DANA program.

County Manager Don Adams explained that this request goes back to former commissioner Doug Murphy who served on the Partnership Board. He further explained that monies are paid 90% by the State and 10% out of the transportation budget. He stated that if a van is sold the money has to go back into the transportation budget. He further stated that this has been done in the past, and it is legal to do so.

Commissioner Smith and County Manager Don Adams talked about there is a van available.

Chair Richardson and County Manager Don Adams talked about this hasn't been an issue with the State.

Commissioner Cox made a motion to declare the van surplus and provide it to the Partnership for Children. Commissioner Roten seconded the motion. Vote 5:0.

Commissioner Cox talked about at one point no one was sure they would be here because of State budget cuts. He further talked about they lost one person but not cutting back on services. He thanked her for what she does.

County Manager Don Adams talked about a letter in the Board's packets and the request is to put it on County letterhead to take to area businesses. He explained that Cascade Highlands has hired a person to sell memberships and show people the benefits of joining Cascade Highlands. He reiterated that the request is that this letter goes out on County letterhead to show that this is a legitimate request.

Commissioner Smith asked if these services overlap with the Chamber and are in direct competition.

Commissioner Goudreau talked about this is a regional tourism initiative and through their publications it reduces the businesses prices because several groups go in together. He stated that the intent of this request is to get membership to fund the organization rather than the government.

County Manager Don Adams talked about they could compete with the Chamber but they have different capabilities than the Chamber. He explained that this letter is just showing businesses that these people aren't just someone off of the street. He further explained that they are promoting regional tourism and do a lot through technology. He stated that they do have some private businesses that have already joined.

Commissioner Smith made a motion to allow the sample letter to be sent out on County letterhead. Commissioner Goudreau seconded the motion. Vote 5:0.

County Manager Don Adams explained the letter this will be in a packet of materials provided to private businesses.

County Manager Don Adams provided copies of the Deed of trust and the Note for the monies loaned to NR in the amount of \$71,232. He explained the North Carolina Future Advance Deed of Trust and this goes back to the conversations about securing the monies by a deed of trust. He explained that this is for the properties located here. He stated that there will be future advances with the initial amount of \$71,232. He explained the maximum in the deed of trust is \$283,100, which is half of the properties' tax values. He further explained that basically it is like a line of credit up to that amount. He stated that the next page is the actual deed of trust note for \$71,232. He explained that instead of recording a deed of trust each time money is provided, the County only has to do the note. He stated that Watauga County has done this, too, and New River voted to offer this option to the remaining 3 counties. He explained that this was an effort to secure the monies by the deed of trust.

Commissioner Cox stated that he has heard that the County is borrowing money for NR. He explained that the County is allowing NR to borrow monies to be paid back.

County Manager Don Adams agreed and stated that this a loan secured by the property.

County Attorney Donna Shumate talked about this has all of the stipulations of a Deed of trust including the right to foreclosure on the property.

County Manager Don Adams presented the proposed budget amendment General Fund #8 in the amount of \$110,242. He said that it was noted on the check to SMC for NR in the amount of \$71,232 to meet payroll. He talked about there are other expenses out there. He reviewed the numbers for each county; Alleghany--\$110,242, Ashe--\$178,102, Avery--\$86,653, Watauga--\$207,820, Wilkes--\$307,723. He said that Avery and Watauga counties have already provided their entire amount for this payroll with Alleghany, Ashe and Wilkes counties providing the first part. He talked about the plan is that Ashe and Wilkes will contribute their remaining amounts this week. He explained the reason he didn't bring the budget amendment before the Board prior to the first check was because there was monies budgeted to Smoky Mountain Center (SMC), which has to be replaced. He talked about having Joy Hines do a journal entry to move the \$71,232 to another line item which leaves \$39,010 to go to SMC. He further talked about there still must be continuation funding in place to go to the LME. He said that this budget amendment is to provide \$110,232 over and above the continuation funding. He explained that at the finance committee meeting earlier today, they prioritized their expenses that need to be paid, just met the direct payroll on Friday, still have contracted medical people that need to be paid, and trying to maintain services for the next 2 weeks. He stated that if all of the boards pass this then it gets us through some of the primary expenses in October. He talked about the back billings and continued talking about the contracted services that have to be paid, between now and the end of October the need to prioritize the expenses, movement to transition employees, payroll that was just met was for September, still paying employees and billing continuing. He explained that the next major discussion will be about making the next payroll. He further explained that they are trying to get a better list of expenses, and NR will have to prioritize payments. He said that the budget amendment matches the numbers we have been talking about.

Commissioner Cox made a motion to approve budget amendment General Fund #8 in the amount of \$110,242.

County Manager Don Adams talked about adding language that the monies are to be secured with another deed of trust note.

Commissioner Cox amended the motion to include securing the monies with another deed of trust note.

Commissioner Goudreau asked about expenses generated according to the 160A Agreement but not in the other 3 counties. He said that he sees no way we should be held responsible for those other expenses. He said he has a serious problem with this.

County Manager Don Adams said they are not in a position to answer this and it isn't because the managers don't want to know; it is because there isn't a CFO there and are working with the auditors and a consultant. He talked about going to have to get a consultant in there to find the answers to these questions or relieve one of the counties' finance officers' duties to go spend time there looking through all of this because we have to have someone there to break these numbers out. He said there is a reason why it is hard to get these numbers and the reason why is it isn't as clean as it should be in that finance office. He said that is the best answer he can provide.

Commissioner Goudreau asked why the Commissioners would blindly give the money without knowing or having clear answers.

County Manager Don Adams explained that if we don't pay they don't come in then we don't provide services. He stated that he wishes he had better answers but he doesn't. He said that it was left with the consultant about trying to spend more time in the finance office.

Commissioner Cox asked has someone asked the consultant directly about Commissioner Goudreau's question about services provided in the other 3 counties, and the information should be attainable. He stated that he has a good point.

County Manager Don Adams agreed and explained that they have a New River employee who lives here, provides service there and here. He said he can ask. He further said that we are trying to get a list and if this consultant can spend the time or is this the consultant to use. He stated that he understands all of the questions, and they are trying to figure out how to just pay the people. He explained getting a lot of the costs transferred over to Daymark. He talked about the timeline and other conversations about getting the rent, power, and people switched over. He further talked about once they are assured that services are being provided then focus can be on those type questions.

Commissioner Goudreau said if we had took the time, the 90 days we would have had the answers.

County Manager Don Adams agreed and said that they are just trying to get through the next 2 weeks where expenses can start transiting over.

Commissioner Goudreau stated that these are questions that he needs answered.

Commissioner Cox talked about this didn't happen in 18 days; it was over a period of several years. He agreed that now they are just trying to pay the people.

County Manager Don Adams said he wished he had 60-90 days. He said that there are several things have that have popped up but the reality is that he can't help that or stop that. He further said that he believes that at the meeting with the NR commissioners and SMC commissioners that if some type of agreement was not reached the other counties were not going to put anything in it. He said he goes back to the core concept of maintaining services and payroll would not have been made last Friday if something had not been done. He further said he does not like it or the circumstances that brought us to this point. He explained that they are trying to get the costs transferred out of NR and believes that is the best way to mitigate the liability to Alleghany County.

Commissioner Cox said it was pretty clear to him that the other counties were ready to bolt, leaving Alleghany County. He talked about at least they held the 5 counties together and have the deed of trust note to hold in the future. He said that they were ready to go.

Commissioner Goudreau talked about the 160A Agreement had a 180-day notice. He stated that he thinks it is the LME's responsibility to provide the services. He said he doesn't want to stop services but we have to look at the reasons we are where we are. He said it looks real bad and it was set up too perfect for NR's demise which leaves him with a lot of questions.

The Board voted on the motion on the floor. Vote 4:1 (John Goudreau).

County Manager Don Adams presented a letter from J. K. Coward that was mailed to him. He read the letter asking the Commissioners to pass a resolution that authorizes Smoky Mountain Center to purchase real property in Waynesville. He reviewed the proposed resolution and survey.

Commissioner Roten said he can't support it that this time.

Commissioner Goudreau said he thinks you know how he feels.

Chair Richardson stated to keep in mind that the other counties approved such action for the office in Boone to benefit Alleghany and this will benefit the 7 counties. He asked for a motion. No one spoke.

County Manager Don Adams presented a resolution approving the financing by Glade Creek Volunteer Fire Department to purchase a pumper fire truck. He read the resolution. He said that the County is not backing the loan. He further said that this is the procedure they have to go through for tax exempt financing. He reiterated that this is not backing the loan.

Commissioner Goudreau made a motion to approve the resolution. Commissioner Roten seconded the motion. Vote 5:0.

County Manager Don Adams reminded everyone of the Joint Meeting with the Town of Sparta on Monday, October 31 at Town Hall at 7:00pm.

County Manager Don Adams talked about policy discussions for the next agenda. He said the first policy is about a building permit where someone hired a contractor to come into the Inspections Department to purchase a commercial building permit and now is no longer on the job, first time we have dealt with this on commercial, rule is when you change contractors you must get a new permit, a couple of inspections done, commercial is based on the price of the job, being fair and looking at the pros/cons, need to be cautious and have a way to deal with it. He further said that another policy discussion is the use of the Transfer Facility scales to weigh loads of scrap metal of another business, question from a citizen is should they have access to equipment that we have and then take revenues away from us, asked what about weighing pumpkins for farmers, and he has frozen the usage as is until further discussions.

Chair Richardson and County Manager Don Adams talked about these will be on the next agenda.

Chair Richardson explained he is asking to move the December 5th meeting to December 12th because he has been asked to participate in a statewide meeting on December 5th.

County Manager Don Adams explained that the only thing he is aware of is the Planning Board meeting scheduled for that same time on the 12th.

The Board of Commissioners, County Attorney and County Manager talked about the Planning Board rescheduling their meeting.

Commissioner Smith made a motion to approve moving the December 5th meeting to December 12th. Commissioner Cox seconded the motion. Vote 5:0.

Commissioner Cox made a motion to enter into closed session at 1:24pm under NCGS 143-318.11 (a) (3)—legal and (a) (5)—contracts. Commissioner Goudreau seconded the motion. Vote 5:0.

Commissioner Roten made a motion to adjourn closed session at 1:55pm and reconvene the regular meeting. Commissioner Cox seconded the motion. Vote 5:0.

Chair Richardson stated that no decisions were made during closed session.

Being no further business, Commissioner Cox made a motion to adjourn at 1:58pm. Commissioner Goudreau seconded the motion. Vote 5:0.

Respectfully submitted,

Karen Evans
Clerk to the Board

Attest:

Ken Richardson
Chairman