

The Alleghany County Board of Commissioners met in regular session on Monday, April 2, 2012, 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 Item B needs to be deleted from the agenda.

Commissioner Cox made a motion to approve the amended agenda for this April 2, 2012, meeting. Commissioner Goudreau seconded the motion. Vote 5:0.

AGENDA
Monday, April 2, 2012
6:30 PM

- 6:30 Meeting Called To Order, Pledge of Allegiance and Silent Prayer
Motion on Agenda for April 2, 2012, meeting
Motion on Minutes for March 19, 2012, meeting
- 6:35 A. Public Comments—30 minutes
B. Randy Blankenship (deleted)
RE: Adoption of 2012 Building Codes
C. Alleghany Group Homes Annual Report
D. General Business
1. Planning Board Appointment
2. FY 2011/12 Audit Contract
3. Home and Community Care Block Grant—Lead Agency and Board Appointments
4. Budget Amendment—Social Services Medicaid Worker
5. Budget Amendment—Tax Office
6. Budget Amendment—Transportation Fund
7. Alleghany Community Transportation Plan Proposed Schedule
8. Alleghany Memorial Hospital Request Discussions
E. Commissioner Business
1. New River Service Authority Transition Board Update—Commissioner Cox
F. Closed Session—NCGS 143-318.11 (a) (3)—legal
G. Adjourn

Commissioner Smith made a motion to approve the minutes for the March 19, 2012, meeting. Commissioner Cox seconded the motion. Vote 5:0.

Chair Richardson opened the public comments' portion of the meeting and asked for public comments.

Dennis Smith shared statistics received from Congressman Jones' office regarding Afghanistan and Iraq in regards to military personnel. He talked about how war affects every American. He further talked about the decision to go to war should be made careful and the Constitution states how to declare war. He said that at the last meeting he asked the Board to direct the County Attorney to write a letter addressed to our representatives in Congress reminding them of their oath to defend the Constitution, ask them to co-sponsor Congressman Jones' House Concurrent Resolution 107 and to make it clear to the executive branch that it is Congress that gives the authority to go to war. He said that this is a simple request. He talked about standing up for the young Alleghany people serving in the military. He said if this is allowed to stand then it will put military people at risk of being killed for the interest of an international body. He asked the Commissioners to instruct the County Attorney to write the letter that he mentioned earlier, send copies to Raleigh, ask them to make it available to all of their colleagues, and ask that the Commissioners send it to all counties in North Carolina and urge them to send it to their legislators. He continued talking about the Alleghany military people. He said he hopes the Board will act on this request. He provided the letter to Commissioner Goudreau and asked that he share it with the other members. He read a prayer offered in the US Senate.

Brandon Hawks read a section from the NC Constitution; Article 1, Section 13. He explained a quote by a German philosopher about God is dead. He said that the philosopher had issues and had a good point but his message was slightly off by God isn't dead but has been replaced. He further said that at the last meeting where a few people talked to the Board about using taxpayer dollars for the Hospital

and a few said the other way. He said one person disrespected another one when he accused another of not wanting a hospital and said to do the Christian thing and what is right for the Hospital. He further said that if you want the Hospital to survive then do what is right instead of demanding others to pay for it. He explained before giving money to the Hospital the need to consider these actions first; administration personnel needs to be cut in half and those remaining salaries cut in half, innovation is necessary in order to retain professional personnel, complete a rapid audit to justify the request and see the deficiency in the agency, join a larger hospital management group, take steps to recruit greater physician services to boost support. He stated that it's not unreasonable for a community to support its hospital if the above steps are taken. He talked about the need to justify tax support at every level. He further talked about how people used to help people but now we have driven out God. He asked is that liberty or freedom. He talked about government is our new God and stated examples. He explained that the motto should be in government we trust. He quoted biblical scripture from 1st Corinthians. He said that God isn't dead. He further said that he puts the power in God not in man.

Dr. Terry Johnson talked about he is a dentist, grew up here and knows a lot of local history. He further talked about serving the dental needs in this area. He said that the Hospital is an important need for the community. He talked about he can remember time before the Hospital was built. He said he supports the Hospital including both of his sons were born there. He provided an example when his grandmother fell, broke her back with no hospital here and she died three months later. He continued providing examples of the lack of medical care several years ago. He talked about a year ago he wanted to go to a Hospital board meeting was told yes he could then later no he couldn't go because the administrator overruled the chairman of the board. He further talked about working with the administrator on a community committee to help find another dentist, Dr. Ashley Weekes, and fortunately she came. He explained that the administrator wouldn't share information with him. He stated that because the Hospital is in trouble he thought he needed to come ask some questions. He talked about his letter to editor in the newspaper, we don't need a band-aid; we need a long-term solution. He said his questions are; does the Hospital need an audit, are Hospital board meetings open to the public, why did the Hospital administrator meet behind closed doors with the Commissioners. He talked about the way he approaches problems is get to the cause of it. He asked how are the members selected and appointed, asked about the Quorum management contract, how long is the contract with Quorum, what are the responsibilities of Quorum and the Hospital's Board of Directors, why hire 169 employees for an average daily population of 10-15 patients, what is the average daily admissions, what is the amount needed to break even, what are the income/expenses for the last 3-4 years, what percentage of Allegheny County citizens actually use the Hospital, what the number was that he used when recruiting a new dentist years ago, percentage that stay here for care, identify why people aren't staying here, how can economic development be stimulated with the management that is at the Hospital. He said that the Hospital is important for economic development. He explained that we have an opportunity to work together to make the Hospital thrive. He said that we've got to find out what the problems are. He further said let's find out the facts.

Kathy Murphy talked about her growing concern about trash and debris in the county. She provided an example of a burned out home across the road from her. She explained that they have started tearing the house down and piling up the debris. She talked about this is a health and safety concern. She further talked about small kids live nearby. She said that she understands that Allegheny doesn't have minimum housing standards. She further said that she doesn't know if this requires a demolition permit. She talked about having an ordinance about household trash. She stated that she has been here before with her concerns about this, been before the Planning Board and Planning Department, and filled a complaint with the Health Department. She said that she requests that this be something to look into. She talked about tourism in Allegheny County. She reiterated the health and safety concern. She asked the Board to look into this to see if there is anything to help with this situation other than the Health Department and to get this cleaned up.

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

Darlene Douglas and Becky Miller presented the Allegheny Group Homes annual report. Darlene Douglas explained their functions in the county. She explained the number of clients, hours of service, number of meals provided daily, developmental therapy services, CAP program, Sam Evans Group Homes statistics, and New River Cottage statistics. Darlene Douglas talked about their annual increase in health insurance premiums, number of full-time equivalent employees, payroll numbers for staff and clients, amount of support for Allegheny in Motion to provide transportation to the vocational program.

Commissioner Cox talked about visiting their facilities, and it is a great opportunity.

Darlene Douglas asked the Commissioners to please come for a visit, and they will provide a tour. She stated their appreciation for the Board's time.

County Manager Don Adams presented the list of Planning Board members. He talked about there is a vacancy where Betty Stewart resigned and her term expires on March 15, 2013. He explained that there is an application from Shon Tally.

Commissioner Roten and County Manager Don Adams talked about Shon Tally was the only person to apply.

Commissioner Roten made a motion to appoint Shon Tally to the Planning Board. Commissioner Cox seconded the motion. Vote 5:0.

County Manager Don Adams presented the audit contract with Martin Starnes and Associates for FY 2011/12 in the amount of \$39,225. He explained that this is a \$500 increase over last year.

Commissioner Roten made a motion to approve the audit contract. Commissioner Cox seconded the motion. Vote 5:0.

County Manager Don Adams presented a memo from Karon Edwards requesting the appointment of Council on Aging as the lead agency for the Home and Community Care Block Grant and approve the list of members on the advisory board, which is included in the letter. He reminded everyone that the Home and Community Care Block Grant is administered through High Country Council of Governments and provides about half of Council on Aging's operating budget.

Commissioner Roten made a motion to approve the request of appointing Council on Aging as lead agency and approve the advisory board members. Commissioner Smith seconded the motion. Vote 5:0.

County Manager Don Adams presented budget amendment General Fund #22 in the amount of \$7,860. He explained that this is a follow-up budget amendment to the conversations about the Medicaid Transportation position at Social Services. He reviewed the revenues are Social Services revenues and appropriated fund balance.

Commissioner Smith made a motion to approve budget amendment General Fund #22 in the amount of \$7,860. Commissioner Roten seconded the motion. Vote 4:1 (John Goudreau).

County Manager Don Adams presented budget amendment General Fund #23 in the amount of \$3,735. He explained that this is for additional foreclosure fees and a computer. He further explained that the computer is to replace one that was purchased in 2006 in collections, costs of repair and with no guarantee the repair will fix the problems.

Commissioner Roten asked about recouping the \$2,800 in foreclosure fess. The County Manager explained that yes those monies will be recouped and the appropriated fund balance is for the computer.

Commissioner Roten made a motion to approve budget amendment General Fund #23 in the amount of \$3,735. Commissioner Cox seconded the motion. Vote 5:0.

County Manager Don Adams presented budget amendment Transportation Fund #2 in the amount of \$15,650. He explained that this is for additional fuel and maintenance for Alleghany in Motion. He further explained that this is the operational transportation budget, which is outside of the General Fund and is not tax dollars. He stated that \$12,000 is for fuel and \$3,650 is for vehicle maintenance. He explained that the revenues are \$3,650 in sale of fixed assets from the surplus sale held on March 24 and \$12,000 is appropriated fund balance in the Transportation Fund. He talked about the Transportation Fund balance is around \$67,000. He reminded everyone that the Transportation Fund operates on a revenue-neutral basis and this fund balance has taken several years to accumulate to be used for circumstances like this.

Commissioner Cox made a motion to approve budget amendment Transportation Fund #2 in the amount of \$15,650. Commissioner Roten seconded the motion. Vote 5:0.

County Manager Don Adams presented the Alleghany Community Transportation Plan proposed schedule; March 27 latest draft CTP maps in town/county offices and on website (<http://www.regiond.org/rpoAlleghanyCTP.html>), March 28-April 27 30-day public comment period, April 16 draft CTP written report to steering committee, County Commissioners and Town Council members, April 30 public hearing for CTP maps at joint town/county meeting, May 7 County Commissioners to consider CTP maps for adoption, May 16 RPO consider CTP maps for endorsement. He reminded the Board that the written document will be presented and the maps are what are to be approved not the written portion. He talked about the next step will be to advertise the public hearing.

Chair Richardson asked if anyone has any problems with the schedule. No one spoke.

County Manager Don Adams explained that he did speak with the Hospital today, the Hospital will hold a public forum in late April or early May, and they are trying to get a facilitator scheduled. He further explained that he had a County Commissioner to ask what it would take to have a referendum on this issue. He referred to an article written by Bob Joyce from the School of Government about when referendums may be held. He said that people want Commissioners to hold referendums to let the public decide but referendums can only be held for what the North Carolina General Statutes (NCGS) says. He explained that NCGS 131E-45 is what deals with hospitals/hospital districts. He read the Statute about how to create a hospital district including the first step is the creation of a hospital district; second issue is it must go to the NC Medical Commission who must have a public hearing and approve the petition. He explained after those steps are followed then NCGS 131E-45 applies. He read NCGS 131E-45. He explained timing issues in regards to the Board of Elections. He reviewed his last conversation with Kate Cosner about we are past the primary in regards to timing and everything described to hold a referendum and a couple others items including the ballot question must be done by August 23 for the general election.

Commissioner Goudreau asked about the public forum, and did the County convey the time of the forum to try to accommodate the public.

County Manager Don Adams answered he tried.

Commissioner Goudreau talked about scheduling a meeting during work hours is counterproductive and his recommendation is after hours.

Chair Richardson talked about the Sparta Auditorium seems to be successful for larger meetings.

Commissioner Goudreau talked about Dr. Johnson's comments are questions they need to answer. He further talked about the need to look at Grayson County too not just Alleghany County.

County Manager Don Adams said he is glad that has been brought up. He said the purpose of the forum is for the Hospital to answer these types of questions. He talked about if someone has a list of questions try to get it to Hospital people before the meetings because it may give them a better opportunity to answer the questions. He further talked about Quorum questions that are being asked will be addressed and they are looking to cover some financial issues. He reiterated to get questions to Hospital management prior to the meeting so they can be prepared to answer.

Commissioner Smith talked about the Board had a citizen ask about the possibilities of multiple meetings, and this might be something to consider. He said that he is pleased that they are going to have this forum.

County Manager Don Adams reviewed the Commissioners requests; the forum to be held when the public can attend, have at a place designed for a larger crowd, and multiple meetings, if needed.

Commissioner Roten said that there should be a public question/answer session, not just a presentation.

County Manager Don Adams talked about that is a point to make that this needs to be an interactive session with the public for questions/answers.

Commissioner Roten agreed.

County Manager Don Adams talked about at the last meeting it was mentioned about coming back with a report about how the Hospital may or may not impact EMS and/or the Health Department. He said at this point he isn't ready to give a formal report. He further said that he is collecting data on the transports that EMS does. He stated that it will be an impact but he isn't sure yet what the impact will be which is why he is collecting data to determine that. He talked about the Health Department will go through the budget process and their possible impacts.

Commissioner Cox updated the Board about the New River Service Authority Transition Board's recent actions; met last week, continuing to deal with the debts, main topic addressed was a presentation by Sharon Edmundson with the Local Government Commission stating that there needs to be an audit, needing an audit to proceed, Board isn't sure how to proceed to get the audit, needing a good-faith effort for an audit, Board authorized Peggy Wallace to contact Lowdermilk & Church to see if they would continue with the audit or contact other auditors, engaged Iron Mountain to collect and store personnel/business records for 3 years, electronic medical records have yet to be picked up but have paid for them to be transferred to Smoky Mountain, authorized Bruce Kaplan to appeal small claims that have

gone to court, Board received a report that summarized all debts in the amount of unsecured debt of \$8,093,328 and secured debt of \$2,226,998 for a total \$10,320,326.

County Manager Don Adams reiterated that this is potential debt of New River and potential liabilities to Alleghany County. He said at this point Alleghany County has not made a legal stance to any of those liabilities. He further said that the only thing Alleghany County has done is secured debt around \$250,000 by a deed of trust on the real property. He talked about the purpose of the report was to get a list of the potential liabilities that are out there and proceed forward with that.

Commissioner Goudreau made a motion to enter into closed session at 7:46pm under NCGS 143.318.11 (a) (3)—legal. Commissioner Cox seconded the motion. Vote 5:0.

Commissioner Goudreau made a motion to adjourn closed session at 8:18pm and reconvene the regular meeting. Commissioner Roten seconded the motion. Vote 5:0.

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

Being no further business, Commissioner Smith made a motion to adjourn at 8:20pm. Commissioner Roten seconded the motion. Vote 5:0.

Respectfully submitted,

Karen Evans
Clerk to the Board

Attest:

Ken Richardson
Chairman