

Montgomery County Commissioners Meeting
February 1, 2005 ~ 6:00 p.m.
Chairman – William D. Maness “Billy”
Vice-Chairman – Dolon W. Corbett
Commissioner - Sally M. Morris
Commissioner – R.C. Bostic
Commissioner – George H. Knight, Jr.
County Manager –
Clerk – Laura B. Morton
County Attorney – Russell J. Hollers

The Montgomery County Board of Commissioners met in a regular session on Tuesday, February 1, 2005 at 6:00 p.m. in the Commissioners Assembly Room. A full board was present. Chairman Maness called the meeting to order and the following was heard:

Invocation

Rev. Jeff Ray from the Troy First Wesleyan Church gave the invocation.

Public Forum

Allen Norman was scheduled to speak during the public forum and was not present.

Audit Report Presentation from Cherry Bekaert & Holland

Cathy Baxter and Eddie Burke, a partner with Cherry, Beakert & Holland. He said he was present to present to the county the Financial Statement for Fiscal Year June 30, 2004. He gave an overview of the audit report. He said the layout of the financial statements are concerned, the first several pages of the audit report, directly behind that is the Management Discussion and Analysis (MD&A). This is talks about the keys items that are reflected in the number in layman’s terms and basically the key points from the year. Directly behind that are the basic financial statements (pages 5-41). This includes a snap shot report of all assets and liabilities at the year end June 30, 2004. Behind that is a snap shot of all of the revenues.

He explained behind that are the fund financial statements. This is basically budgetary type statements for the county. There are two types governmental and proprietary fund types. Pages 44-85 are the supplementary schedule which is more detailed information that is included in the front of the report. This is required by the State of North Carolina, that is why they are included.

Pages 87-104 include the compliance section. Those are our audit reports on our county’s compliance through N.C. General Statutes and the Single Audit Act. Finally pages 106-108 are statistical information.

He said back on page 1 and 2, that is the independence audit report. For the record the county received an unqualified opinion on its financial statements which is the highest level we as a firm can provide for a financial statement. He said that means that we have as an independent CPA have come in and verified the balance sheet and the liabilities of the counties at the end of the year and we have audited the income statements which is the revenues and expenses for the year ended June 30, 2004 and we believe the numbers in this document can be relied upon to give you a true position year end 2004.

He said turning to page five. This is the statement of assets. This is a snap shot of all of all the assets and liabilities of the county for Year End 2004. At the end of the year the total cash and investment position

of the county was a little over \$7 million. Total assets for the year was right at \$39 million. The total liabilities which included accounts payable, accrued expenses, all your bonded debts, your installments for purchase agreements outstanding at the end of the year was approximately \$14.5 million dollars. Your net assets was right at \$24.5 million dollars.

Page 6 is a statement of activity. It lays out the different categories/services the county provides. For the year the net cost for providing the various governmental activities or services was right at \$15 million dollars. The net cost of the was funded by primarily your ad valorem taxes, which was right at \$10.5 million, and your local option sales tax was right at \$3.9 million. For a full year the county operated at a loss of around \$463,000.

Page 7 is a snap shot of government funds. Total assets at June 30 includes \$6.9 million, total liability right at \$1.4 million, the total fund balance for all of your governmental funds was right at \$5.5 million. The general fund being pulled out separately had a balance of \$4.2 million dollars. The undesignated fund balance at June 30 was right at \$2.3 million or approximately 10% of the expenditures in the current year. The Local Government Commission recommends that number stay right at 8%, so you are exceeding the recommended percentage set by the Local Government Commission.

Page 9 is the statement of revenues, expenditures, and changes in fund balance for all governmental activities. Total revenues this year was right at \$21.4 million, total expenditures was right at \$23 million. The next change in fund balance was a deficit of \$1.3 million.

Page 12 is the statement of net assets for the water fund. At June 30, 2004 the total cash in the water fund was right at \$2.6 million. Total assets was \$27 million, total liabilities was right at \$8 million. Total net assets at the end of the year was a little over \$19 million.

Page 13 is the statement of revenues, expenditures, and changes in the net assets in the water funds. For the year your total operating revenue was right at \$3.2 million, which is up from the prior year by about \$200,000. Operating expenses were right at \$2.9 million. For the year the water funds operated at a loss of about \$70,000.

Chairman Maness asked if there is a minimum balance we need to have in the water? Mr. Burke said that is really not an number I can give you, it really depends on the condition of the water system, what kind of major improvements you feel like you are going to have to make. Mr. Maness said the state has no number. Mr. Burke said it really depends on the condition of your system. The Chairman said that is what I thought. Mr. Burke said what you do need to do in any type of electric, water, or sewer system is build a cash reserve so when ice storms hit or any other things that might occur will cause you to repair the system, you will have funds available. That is still leaning to an evaluation of the condition of your system is in. Chairman Maness said we have done that, I was just wondering if there was a percentage number.

Page 84 is a snap shot is a snap shot of ad valorem taxes. For the year, the county billed out \$10.1 million for taxes. Collections were right at \$9.7 million, and the collection percentage for the current year levy was right at 96%, that is right at the statewide average overall.

Commissioner Corbett asked what is the state average for motor vehicle collections? Mr. Burke said I don't know right off the top of my head. He said it is typically a lot more than the real estate and that varies depending on the mix of the population. I have seen it as low as 85% and I have seen it as high as

96%, it really just depends on the area you live in. Commissioner Corbett said thank you. I will tell you that 82% depending on the mix of people, I have seen it that low before.

Page 87 is our auditors' report on the compliance with North Carolina General Statutes. As a whole the county received an unqualified opinion, which means we believe on a material basis you operated within North Carolina General Statutes. There were two items noted when we were auditing. One is a lack of segregation of duties, which is actually very common for a number of points in the county. Where all counties in the State of North Carolina where people receive cash and because of the size of the department, there is not an adequate segregation of duties. It is not cost effective to do that. I want to bring this to your attention. You are monitoring that, we just encourage you; it is a situation that does exist with you and other governments across the state. We just need to make sure you monitor that situation. As far as compliance, there was a couple of expenditures made that there was not adequate budget appropriated for a particular line item. It was just a budget amendment not being made for three areas. That is reported in the report. Commissioner Bostic asked where is that sir? Mr. Burke said the findings are on page 95. Basically there were four areas. The water district funds had some expenditures in excess of the budget of about \$111,000. There was also a transfer a transfer from the water and sewer fund of about \$1.2 million dollars, capital project fund was not budgeted in the current year. There was also roughly \$44,000 budgeted for the general fund for the sanitation area that was not budgeted. Finally there was roughly \$212,000 budgeted for the aging program that was not budgeted.

Chairman Maness asked Mrs. Baxter to pull those for the commissioners.

Pages 89-92, those are two reports included in here that describes the county's compliance with the administration of federal and state money that was received. I am happy to say there were no findings. We found the county was administering all these funds in accordance with the restrictions required by the grant documents themselves. Just for your records, look on page 104, the county did administer roughly \$27 million in federal funds and right at \$10 million in funds provided by the State of North Carolina.

In addition to my audit report, there are also two letters I have included in your packet. One is what we refer to as a SAS 61 letter (it is unbound). The letter I am referring to now if you would look on the first page, it will have our responsibility under GAAS (in bold) that is what we refer to as a SAS 61 letter. As your independent auditor, we are required to communicate certain things to you on an annual basis. One being what are responsibility is under auditing standards, whether or not we are independent. There is also a discussion of some of the accounting estimates that are included in your financial statements. I will say there is nothing of any substance in this letter that you need to be concerned with. It is just informational purposes only. I do encourage you to read it so you will know there is nothing of any substance in that letter. Then there is also what we refer to as a second letter included in your packet. That letter basically has the two items that I was describing earlier to you regarding the segregation of duties and the budgetary issues I talked with you about. He said that concludes my report for tonight and I will be glad to address any questions you may have.

Chairman Maness said I don't have a questions; but Cathy please make sure you get a copy of those budget amendments that were missed last year, if you would make sure you get a copy and explain them to the commissioners. Chairman Maness asked if there were any questions by any other commissioners.

Commissioner Knight said I noticed last year we had some of the same duties that we were not really doing that we should take a look at. Some of the same things in this report, do you have suggestions or where do we get suggestions to correct these items? Mr. Burke said the segregation of duties issue is

probably going to be hard for you to ever to get out of your report. Just because the pure nature of your operations. It is very common across the state. Any time you have a decentralized accounting process and you have various places across the county that receive cash and you have cash coming into the department and you have one person handling virtually all of the transactions. The only thing you can really do is hire more people, which is not cost effective, or monitor those people on a regular basis, which you are doing. The problem is that you still have the weakness in that you don't monitor it; you need to have an oversight. You will probably have that letter or comment on an annual basis. The other area which is the budget area, that is just something that you need to be looking at more closely when you are appropriating your funds when you are spending your money to make sure there are appropriated funds before you spend the dollars.

Knight said it seems like both of those areas could be corrected there because couldn't you have some fraud or mishandling of funds along the way there. When you have one person collecting, doing the reports, and doing everything in the line of receiving that money to the bank. Some could get misplaced. Mr. Burke said that is the point we are making in the letter; that condition does exist because there is a lack of segregation of duties because there is no one in the department monitoring this. So what you need to be doing as a governing board and the finance/administration needs to be doing is making sure that you are going on and making sure that policies and procedures in place and the departments that are handling cash are following those policies and procedures and quite honestly doing spot checks. Commissioner Knight said it seems like it would be very easy for a person to cover their tracks when they are handling all of the process in the line of receiving money and all of that, even if you monitor it. Mr. Burke said I would totally agree with you. The only way you are going to counter that is to pull all those funds from cash receipts into your normal process within the county and that is a decision this board will have to make. You will have to see if the risk you have is worth taking the convenience of all these areas collecting cash. That is a decision you will have to make on a department by department basis.

Commissioner Bostic said in the last paragraph in your individual audit report, what does that mean? Mr. Burke asked about the statistical area in the back and it is basically two schedules. It is basically where the county has provided an additional schedule that is not required by any standard for the 10 largest tax payers in the county and secondly there is a computation of the legal debt margin. All we are saying is that we did not go in and audit this information. , this is very common for a CPA firm not to audit statistical information. We did not go into your records and compare the evaluations or the assessed valuations of the top 10 tax payers. Commissioner Bostic said okay, thank you. Chairman Maness said so you are taking our word they are the top 10 taxpayers. Mr. Burke said we compared them and it is pretty consistent with what you have had in the past.

Commissioner Knight said when you start looking at our debt, is there a legal amount your debt should not go over based on your revenues. Mr. Burke said that is actually on page 108. He said there is computation that has been made. Basically the amount of debt, excluding water and sewer debt, incurred by the county is 8%. The county could actually based on the assessed value as of June 30, 2004, could incur debt up to \$133 million. You already have some debt that qualifies as a reduction of that number, about \$5.7 million. As of June 30, 2004, the county could under North Carolina General Statutes incur debt of \$120 million. Chairman Maness said that is a pretty good line of credit. Mr. Burke said you are well within what N.C. General Statutes allows you to have as far as debt. Chairman Maness asked if there were any other questions.

Chairman Maness thanked Mr. Burke for his presentation.

Set Date and Time for Board of Equalization & Review

Chairman Maness explained this is the time of year that people come in and appeal their property tax value. He said what I thought we would do is set it at 5:30 p.m. before our meeting on April 5. The board agreed.

Mrs. Baxter said Mr. Jordan has already been asked to be put on the agenda regarding the Springs Building.

Chairman Maness asked Cathy and Laura to make note that is when the board will do that.

School Budget Amendment

Dr. Lindsay Suggs, superintendent of schools presented the following four budget amendment requests:

Budget Amendment #2 – This is a grant we received through the health department. This increases the number of nurses we have in the school district. The money, as I understand is flowing through the health department. I think there is some discussion next year that we can run it directly through us. Chairman Maness said this is a grant, it is just running through the county. Dr. Suggs said yes. Mr. Maness said the next question, are they going to continue to pay for that nurse. Dr. Suggs said we will have to evaluate it. (\$49,315)

Budget Amendment #4 – The state went into a lease purchase agreement to purchase school buses rather than buying them as they have done in the past. This money doesn't actually come to the county, but it has to come in and out of our books. It is making the lease purchase for the buses. We have one more year on this particular bus. We have some others we have done the same thing with. (\$81,752)

Budget Amendment #6 – This is money received from the Partnership for Children for Pre-K positions. Pre-K is funded by three sources, More at Four, Smart Start and local funds. Adjustments made to After School Program to budget for expenditures. (\$500,256)

Budget Amendment #7 – This is the Pre-K position placed in Mobile Unit, Pre-K regulations require installation of fire alarm equipment. (\$4,228)

Dr. Suggs said he would appreciate the board's authorization on these budget amendments.

Chairman Maness asked if there were any more questions.

Commissioner Bostic asked where is the money coming from to fund Budget Amendment #7? Dr. Suggs said our fund balance. Commissioner Bostic said the rest of the budget amendments are grants? Dr. Suggs said yes sir.

In a motion made by Commissioner Corbett, seconded by Commissioner Morris, and so the motion carried unanimously to approve Budget Amendments 2, 4, 6, and 7 for Montgomery County Schools.

Planning and Zoning Report

Phil Henley presented the following planning and zoning case:

He explained that Jerry H. Sampson has requested the rezoning of his property located at 105 Sampson Drive in Mt. Gilead. The property is located below West Montgomery High School close to the train

trestle. It is approximately 1 ½ acres. This request is in order to rezone R2 to commercial with a conditional use for a car sales lot. The Planning Board heard the request and there was some discussion, but most of the discussion was trying to find out what was taking place. The Planning Board heard all of the requests and would like to recommend that the property be rezoned from R2 to commercial with a conditional use for a used car lot, and with the stipulation that if a car lot is ever abandoned or no longer in use that it would revert back to R2. Mr. Henley said in talking with the family, they have no problem with it. The Planning Board would like to recommend this be rezoned with that condition.

Chairman Maness said there is a car lot right passed there on the left isn't there? Mr. Henley said yes sir.

Commissioner Knight said this property is zoned R-2 now. Are they going to move the trailer, what are they going to do with the living quarters.

Mr. Sampson said we plan on leaving the mobile home and moving the car lot toward the end with the trestle. Commissioner Knight asked are you planning on living in the mobile home. Mr. Sampson said yes. Commissioner Knight said it is going to be commercial property with a mobile home on it? Mr. Sampson said yes sir. Mr. Knight asked Mr. Henley if that is allowed? Mr. Henley said yes. Commissioner Knight said the property next to it is school property right? Mr. Henley said yes, the Vang's also have a piece of property of it and there is another family that has property too. It doesn't actually touch school property. Commissioner Knight asked whose property is this between this property and the school property. Mr. Henley said that is a Mitchell family. Commissioner Knight said this Vang property is? Mr. Henley said that is on the bottom of the hill before you get to the school on the right.

Commissioner Knight said was some of that timber cut off of school property there. Mr. Henley said not that I know of. Chairman Maness said the timber was cut there. Mr. Henley said the Vang family had their timber cut too.

Commissioner Knight said I hope we will not have a problem down the road with commercial property and residence on the property too. It seems like it should be one of the other. Most commercial property you don't have a residence on commercial property. Mr. Henley said our current ordinance does read that you can have a residence on commercial or industrial property.

In a motion made by Bostic, seconded by Corbett, and so the motion carried unanimously to uphold the Planning Board's request.

The only other request I have is the board would like to set up a work session to discuss some of the changes you would like to make in the zoning ordinance (i.e. the small lots), and there is a couple of things they would like to look at changes as well. He said at your next convenient time. Chairman Maness said I will try to get a date together to meet and Cathy or Laura can line it up. Commissioner Corbett said we may want to delay it until we get a county manager.

Board of Equalization and Review

Chairman Maness said I am going to back up to number five. Laura said we need to take a vote to set the meeting.

A motion was made by Commissioner Corbett and seconded by Commissioner Morris to set April 5 as the meeting date for the Board of Equalization and Review.

Commissioner Knight asked what about the other date, April 19th.

The motion was withdrawn to correct it.

In a motion made by Commissioner Corbett, seconded by Morris, and so the motion carried unanimously to set April 5 and April 19 at 5:30 as the meeting dates for the Board of Equalization and Review.

Chairman Maness thanked Commissioner Knight and Mrs. Morton.

Budget Amendment

Website Funding

Mrs. Cathy Baxter and Mrs. Kris Hernandez explained that \$2,600 is needed to cover the website hosting fees for the remaining portion of this fiscal year because grant funds have been exhausted. Chairman Maness asked Mrs. Baxter to explain that a little bit, you were talking to be about it. We had a grant to start this off and we had an agreement and we did not budget in the complete year. Mrs. Baxter said that is correct, and it was noted at the time the budget was being written that Kris had notified Mr. Matthews that additional funds would have to be appropriated for the remainder part of the six months. The grant funds only covered the first six months of this year.

Commissioner Knight said did we miss this during budget time. Chairman Maness said it wasn't budgeted in, that is why we have to make the budget amendment, and we do have an agreement on that too don't we, Kris? Mrs. Hernandez said yes and I do have copies with me. Chairman Maness asked her to pass the agreement out. Chairman Maness asked if there was any further service.

Commissioner Bostic asked if this money could be taken from the money we receive from 911? Mrs. Baxter said no. Mr. Bostic asked why can't it? Mrs. Baxter said to the best of my knowledge there is nothing in the statute that states that we can pay for hosting fees with that money, but I will check tomorrow. I am not absolutely sure.

Chairman Maness said basically we have an agreement in place and we have a deficit of \$2,600, so to keep the website in place and moving into the . . . Bostic said I remember something when this thing came that if the grant didn't continue that the website wouldn't. Mrs. Hernandez said there was something that when Bill Shoaff came last January there was some discussion in the minutes about it. Chairman Maness asked what the minutes said. Mrs. Hernandez said the former county manager did mention that our hosting fees would only cover one year and the county would have to pick up the cost after that. He made mentioned that it would have to be budgeted during budget time. Commissioner Corbett and Commissioner Bostic said they remembered discussing this at length. Commissioner Bostic said I think we need to pull the minutes on that. Chairman Maness said but don't we have an agreement in place that we have to keep it? Mrs. Hernandez said we filled out an application before we actually received the grant and the website has to be continued for two years after the continuation of the contract. She said I have my copy of the application if you would like to see it. Chairman Maness said so basically it doesn't matter what the minutes said we have to have this thing for two years, after we cancel it, correct? Mrs. Hernandez said it has to continue two years after cancellation of the contract.

Commissioner Knight said I believe when we talked about that, I believe the benefit to the county would be worth more than what we were going to end up paying. Chairman Maness agreed. Mrs. Hernandez said in your packet there are some statistics from the fourth quarter and we will look at it if we have time. Chairman Maness said sure we do. She said during the fourth quarter we had over \$50,000

visitors to the site, which more than tripled the first quarter of 2004. Some impressive statistics on the number of downloads and that is forms on the website. The top seven were downloads from the Uwharrie Forest site. Our assumption of that is that is people who live outside the county that are downloading maps and things from the forest who are actually visiting where it be individually or with a group. They are visiting our county and spending their money while they are here.

Commissioner Morris asked Mrs. Hernandez if she is in charge of keeping this updated and information correct. Mrs. Hernandez said me and Laura. She does agendas and minutes and some of the calendars. I do some of the calendar, there are some things I can update, and there are some things that I can not update that Sturgis has to do. Chairman Maness said I guess the bottom line is are we keeping it up, that is the main thing? We need to make sure it is up to date. Mrs. Morton said there have been a few problems updating to the site, but everything through November of last year is on the site. Commissioner Knight said I use it, sometimes when I want to look back at some of the minutes; the minutes are being kept there. The past two or three meetings may not be there. He said it goes back a year doesn't it. Mrs. Hernandez said it goes back to 2003.

Commissioner Knight said I was reading somewhere the tax department was going to be improving their web page which would be beneficial to attorneys and people researching. I think it is going to benefit the county in the long run as we make it better. People from outside the county and state, there is a lot of information on there. It is worthwhile money spent.

Chairman Maness said next year we will have to budget for this. Mrs. Baxter said \$5,200. Commissioner Morris said for a whole year? Mrs. Hernandez said it is \$400 a month in maintenance and hosting and seventy-five cents per account for our e-mail accounts and currently we have twenty-one. Commissioner Corbett asked how many of these email accounts are for the schools or are they? Mrs. Hernandez said they are all county employees.

Chairman Maness asked if there were any other questions.

In a motion made by Commissioner Knight, seconded by Commissioner Morris, and so the motion carried unanimously to approve the \$2,600 for the website funding to come out of the fund balance.

Chairman Maness said Kris if you would work with Laura and let's keep this website totally up to date and I would appreciate it.

LLEBG

Mrs. Baxter explained this is the Local Law Enforcement Block Grant funds we received from the state. There will be additional county funds needed. The remaining match needed will come from the \$776 we come from our drug forfeiture funds.

Commissioner Corbett asked Mrs. Baxter is she knows how much money is in the drug forfeiture fund? Mrs. Baxter said over \$13,000.

In a motion made by Commissioner Corbett, seconded by Commissioner Knight, and so the motion carried unanimously to approve the LLEBG in the amount of \$7,762.30.

Health Department

Contraceptive Drugs

Mrs. Kathleen Devore-Jones was presented. She explained that they had received an additional \$8,363 from State DHHS to be used for long term contraceptive use for their clients.

Child Care Consultant

Mrs. Jones also explained that The Quality Enhancement Project for Infants and Toddlers at the UNC School of Public Health has awarded an additional \$3,900 to the Health Department to be used for the Child Care Consultant. She said these funds will be used to purchase a laptop computer and to add an additional amount in her travel because she does regional consultations.

In a motion made by Commissioner Knight, seconded by Commissioner Bostic, and so the motion carried unanimously to approve the two budget amendments for the health department. (Contraceptive Drugs (\$8,363) and Child Care Consultant (\$3,900).

Appointment to the Board of Health

Mrs. Kathleen Devore-Jones presented names for appointment to the Health Board.

She said I want to explain to you that these are your appointments and we are not trying to tell you who to appoint we wanted to offer these suggestions.

First the Board recommends Todd Kearns for the citizen position to be vacated by Ted Harris, whose first term ends in January 2005. Mr. Harris has not expressed interest in being reappointed. Mr. Kearns is the co-owner of the Kearns Septic Tank Cleaning and Repair Service and lives at 356 Shiloh Road in Troy. He has agreed to serve.

Second, the Board recommends John Deaton for the citizen position to be vacated by Tina Kissell, who will complete her third term in February, 2005, and is ineligible to serve another term. Mr. Deaton is a local attorney whose office is at 323 N. Main Street in Troy and he lives in Biscoe. He has agreed to serve.

Commissioner Bostic said we had a situation with Mr. Kearns at one time when he came before the board. What would happen if he had something similar to come, would that be a conflict. Mrs. Jones said the Board of Health has a conflict of interest statement that all new board members have to sign. If they are going to vote on anything that a board member had, such as Dr. Woodyear is a physician, we can't pay him money or stuff like that. Any kind of conflict of interest would have to be owned up to and they couldn't vote on it. Commissioner Bostic said good. Chairman Maness said Ted Harris does pretty much the same type of work doesn't he. Mrs. Jones said that Mr. Harris is somewhat retired.

In a motion made by Commissioner Corbett, seconded by Commissioner Bostic, and so the motion carried unanimously to appoint Todd Kearns and John Deaton to serve on the Board of Health effective February 2005.

Brutonville Concerned Citizens

Mrs. Baxter explained she received a call from Kim Berry from the Piedmont Triad Council of Governments requesting that Montgomery County be a pass through agency for the Brutonville Concerned Citizens. She asked Navonne Moore to come forward and answer any questions regarding this program. We would pretty much be the pass through program.

Mrs. Moore said Brutonville Concerned Citizen would like to host Grandparents Raising Grandchildren. There is a need in the county because a lot of grandparents are raising their grandchildren for various

reasons. For that reason to we don't have a lot of resources not because they don't want to, but because they don't know where to go and what to do. We provide support through meetings and written literature. I myself am raising a 13 year old. There are medical and legal issues we have to deal with. We propose to provide this information for them. We are centrally located in Brutonville and anyone who wants to attend can, if this program in Brutonville goes well we can start other programs in other towns too.

Commissioner Bostic said this is a good program.

Chairman Maness said basically, if I understand this correctly, they want to run this through the county. Mrs. Baxter said that is correct. Mr. Maness said how are we going to handle this. Mrs. Moore said that would be the case, we will provide the information you need and you would provide the funds to us. Mrs. Baxter said we have Blair Barton-Percival from the Piedmont Triad Council of Governments here with us tonight. Mr. Percival said you would essentially administer of dollars here at Montgomery County. Chairman Maness said so we would hold the funds and they will bring a receipt in for payment. Mr. Percival said it is on a reimbursement. If you were to get the receipts in by the 10th of February, you would get the check by the 10th of March. It is approximately \$8,700 for the remainder of this year until June 30. Chairman Maness said it sounds good. He asked if there will be one person that is responsible for signing off on it to make sure it is approved where Cathy can pay it. Mr. Percival said I spoke briefly with Cathy and the county will write the check to the vendor, and obviously in communication with the Brutonville Concerned Citizens Group, then submit the check to Piedmont Triad Council of Governments for reimbursement.

Commissioner Morris said this is for this year will there be other monies for next year. The answer was yes.

Commissioner Corbett said it is my understanding that after this year, this group here will be able to handle the funds after this fiscal year. Mr. Percival said I think we could review it come July 1. Commissioner Bostic asked if they could buy through state contract. Mr. Percival said I am not sure. Mr. Bostic said state contracts get a reduction on merchandise we buy? Mr. Percival said I don't know, they are a non-profit, so they are certainly tax exempt. Commissioner Corbett asked Gloria Lewis if she could answer that? Mrs. Lewis said the Council on Aging is a non-profit and we can not. Commissioner Bostic said since they are running through the county can they? Mrs. Baxter said as far as I know we can. Commissioner Bostic said that would save money.

Commissioner Corbett said that wouldn't create an accounting problem for you would it? Mrs. Baxter said no. Commissioner Corbett and Commissioner Bostic said good.

Chairman Maness said let's double check and if it is not a problem it will be a good idea. Commissioner Corbett and Commissioner Bostic said it would save money and the money would go to farther.

Chairman Maness said Mrs. Moore, my concern is that if we could just have one person set forth to communicate with Cathy. Commissioner Bostic said Mrs. Moore is the contact.

Commissioner Knight asked if there was any reason why you didn't do this through the Town of Candor. Commissioner Bostic said Brutonville is not in Candor's city limits, so they wouldn't have jurisdiction. Commissioner Knight said communities in Mt. Gilead; I believe the town could act as the go to person in that township. Seems like it would be more convenient and handy if it could go through the Town of Candor.

Mrs. Moore said we have talked about this for a while now and we have come up with the best idea as this. We have started out in Brutonville and we can move out into other areas.

Commissioner Corbett said Commissioner Knight I think I can answer that. This group is the only group who agreed to step forth and do this for the county. They are the only ones that sent the proper paperwork in. Commissioner Knight said I can understand all of that, I was just questioning the convenience being there at Candor. I thought you received services from the Town of Candor. Mrs. Moore said we do not receive any services from the Town of Candor. Commissioner Knight said I just thought it would be more convenient.

Chairman Maness asked if there was further discussion.

In a motion made by Commissioner Bostic, seconded by Commissioner Corbett, and so the motion carried unanimously to approve the Caregivers Support Program.

Discussion on Meeting Dates

Chairman Maness said I have a couple of things I need to go over. He said I will not be here for the February 22 meeting. If the board would like to go ahead without me that will be fine, we need to either change that to the March 1 or back to February 15. The board agreed.

Chairman Maness also announced the public hearing on February 21, 2005 at 5:00 regarding the CDBG projects. Mr. Maness said the grants are due by March 1. She has to advertise for 10 days before the public hearing. The board agreed.

Chairman Maness asked Mrs. Morton to remind the board of the public forum.

Allen Norman

Chairman Maness said we have one person who wants to speak that came in late, I told him the meeting started at 6:00 p.m. Mr. Allen Norman.

Mr. Norman said actually I am still waiting for Mrs. Baxter to give me paperwork and records that I need. Chairman Maness what paperwork and records do you need? Mr. Norman said I am requesting the audio of the minutes of the agenda that I was here on two prior occasions. December 7 and . . . Chairman Maness asked Mrs. Morton if she had that. Mrs. Morton said I am working on them. Mr. Maness asked if there is a charge for that. Mrs. Morton said just the cost of the tape. Mr. Norman said Laura and I have already discussed this. Mrs. Morton said I have already talked with him about this. Mr. Norman said and I am working with Laura that it would be a couple of weeks if I remember correctly to get that. As well as the records for the 2004 and up to date 2005 log report from animal control complaints through Montgomery County. Once I have those records I . . . Commissioner Morris asked why are you requesting those? Mr. Norman said well I have specific reasons and I will bring that to the commissioners' attention once I have that information.

Chairman Maness said I am not going to set a time on Laura to get that information to you because we are kind of . . . if you heard what the auditor said a while ago, we are kind of understaffed, unless people want us to raise their taxes. We are not going to go out just to hire people, not giving you a short answer at all. Mr. Norman said I can respect that. Laura, when she gets a chance to get to it, and we will get to it.

Mr. Norman said if I could somewhat answer Mrs. Morris questions. I know I am being deemed as a nuisance. My intentions here, my right in the democratic process, I do truly feel the commissioners are not aware of North Carolina General Statutes in the specific incident that I incurred in animal control. I do personally feel that animal control department is not doing its responsibilities to the citizens of this county. Our tax paying dollars pay them to do their job. Unfortunately I do have issue within that. Naturally, if I feel that I am right I am going to present myself and state my case, and so that is what I am intention to do. Not to be a nuisance, but to hopefully make things better. My reason for this, you would be extremely surprised how many people has come up to me and has told me in this county, that has heard about the situation, has told me a story they have been into, a problem they have had. They don't have the demeanor, the stubbornness, or the arrogance, or whatever you want to call it to do what I am here doing before you now. So what they do is what a lot of Montgomery Countians do is let it ride. Someone has to stand up for what they believe is not right. That is what my intentions are. If I have to go the long haul to prove that I will. Part of my victory was won in court. I did get a Class 3 misdemeanor judgment that I was looking for. Mr. Byrd, I got his name right this time, was found guilty of the Class 3 Misdemeanor that he was being charged with. My intentions now that I have that out of the way, is to take him to small claims court. My problem with the county at this point is I don't feel that the commissioners. . .Mr. Knight is not even aware of the general statutes. As I spoke to yourself and Mrs. Morris on the first occasion, you was not even aware of the general statutes. . .Mrs. Morris said I had a copy of that general statutes, I have copies of that. Mr. Norman said I know you do, my statement is when I first talked with you on the phone you wasn't aware of the general statutes. Commissioner Morris said I was aware I had a copy. Mr. Norman said I am not here to argue Mrs. Morris. Chairman Maness said I can grant you one thing we are not going to argue. Mr. Norman said I can grant you I am not going to get into a match with you. Chairman Maness said that is right. Mr. Norman said as I have been before all the commissioners, I have continued to act in a very professional and very cordial manner. My perseverance and my arrogance, this is my democratic right. Chairman Maness said I understand and I have no problem at all, as long as we handle it that way we will handle it the same way. Mr. Norman said I have never done anything but. I have been here. Chairman Maness said we understand we don't need to get into that. He said you need the tapes and the records and there will be charge to whatever time it is to get all of the stuff together and keep up with your time, and we will make sure. . .Mr. Norman said my understanding the time is not. . .I am aware the cost of the. Mrs. Morton said I talked with Attorney Hollers this afternoon and he told me guidelines I need to go by. Chairman Maness said those are the two things you need. Mr. Norman said yes sir. Chairman Maness said we will get that together as soon as we can.

Commissioner Knight said Mr. Norman said you might expedite things, I don't know why you are coming back to us, with this information as far as duties and employees or whatever you are saying, our employees are not doing their jobs. I don't know what your complaints going to be, but if you are not satisfied with the decision the commissioners made, when you were here before you do have an appeal process you can go through from there. You might expedite things by using your rights as that citizen in the appeal process. If you were not satisfied with the decisions of the citizens, now by coming back to us with your complaints, yes we have to listen at them, but we will deal with that in our time in our own way as far as employees in this county. So I don't know what you are trying to prove or what have you, if you want to accomplish something, you started out with a dog problem. Now, if you want to accomplish that, you might want to take a look at your appeal process. How you are going to be able to go into court, small claims or what have you. Coming back to us complaining about our employees of this county, we are familiar with their duties and their abilities and all of that. So you want accomplish anything by doing that. Mr. Norman said I am aware of the process that I have a right through the court system in reference to my specific problem. My intentions now is, at this point, truly don't understand the severity of the problem that a lot of homeowners have out there. There are a lot of problems out here

in reference to animal control. Chairman Maness said we understand there is a lot of problems, I understand there are not a lot, but people have a lot of problems with me and a lot of people have problems with me, do you understand. Mr. Norman said my concern is when I got into this process; Montgomery County is not following general statutes. My argument before...Chairman Maness said we are following exactly what we are suppose to follow and we have already been through this. . Mr. Norman said Mr. Maness if I could speak without you interrupting me. . Chairman Maness said escort him out of here I am not listening to him anymore.

Adjournment

Having no further business to discuss the meeting was adjourned.

William D. Maness, Chairman

Laura B. Morton, Clerk to the Board