

**STATE OF NORTH CAROLINA
COUNTY OF AVERY**

The Avery County Board of Commissioners met in Regular Session on Monday, August 1, 2016 at 6:00 p.m. in the Commissioners Board Room, Avery County Administrative Complex, 175 Linville Street, Newland, NC.

Members Present: Martha Hicks, Chair; Maxine Laws, Vice-Chair; Reo Griffith; Faith Lacey; Blake Vance

Members Absent: None

Call To Order

Chair Hicks called the meeting to order at 6:01 p.m.

Chair Hicks read aloud the following statement:

The time limit for any comment to the Board is three minutes. Board members are not expected to comment or take any action on matters during public comment. Any individual speaking during public comment shall address the entire Board. Any person who willfully interrupts, disturbs, or disrupts the session will be asked to leave the meeting. If you would like to speak to an agenda item, you must sign up on the sheet with the clerk. Time limit to speak to an agenda item is also three minutes. Please silence all cell phones or electronic devices.

Blake Vance led prayer.

The Pledge of Allegiance was recited.

Resolution in Memory of Corey Pittman

Blake Vance stated that there was a wonderful human being that was a great public servant to this county that passed away untimely at the age of 41. He was my best friend. He did a lot for Avery County. He was a pioneer in expanding emergency healthcare in Avery County. Commissioner Vance read aloud the following resolution:

RESOLUTION CELEBRATING
THE LIFE OF DEDICATED CAREGIVER

COREY PITTMAN

(1974 - 2016)

WHEREAS, Avery County was indeed blessed to count Corey Pittman as a native son;
and

WHEREAS, Corey Pittman dedicated his life to the care of others as a Paramedic; specifically pioneering increased emergency care in Avery County, serving with Mountain Area Medical Airlift and Wings Air Rescue, and innovating new methods and educating medical professionals throughout the United States; and

WHEREAS, Corey Pittman was blessed with an exceptional musical talent, being a proficient fiddle, guitar, and piano player and a gifted singer, sharing his talent and faith through music across the United States; and

WHEREAS, Corey Pittman was unceasingly kind, optimistic and uplifting in all of his encounters, whether professional, social or personal, whereby everyone who encountered him was more cheerful for having done so; and

WHEREAS, it is the sense of Avery County that Corey Pittman will be sorely missed.

NOW, THEREFORE, BE IT RESOLVED that we do hereby honor the memory of the accomplishments and the spirit of Corey Pittman and tender our sincere condolences to his family. Our County will truly miss him.

Motion by Maxine Laws and second by Blake Vance to Adopt the Resolution in memory of Corey Pittman. Motion unanimously approved.

The parents of Corey Pittman were asked to come up front and receive a framed Resolution. The audience gave a standing ovation.

Public Comments

George Greene stated "I have been a property owner since 2013 at the Altamonte Acres Subdivision. This is a subdivision that borders the Avery County landfill. My concern is that recent landfill operations to control water flow and water retention have reduced property values, increased the noise, increased visibility of the landfill operations, and decreased the salability of my property. I am requesting that the county mitigate the impacts caused by the recent landfill operations. The basis of that request is the Avery County Board of Commissioners minutes dealing with that landfill previously and the intention of being good neighbors with the landfill so I am asking for that. I reviewed the minutes found previously March 5, 2007 'the Board of Commissioners granted a waiver of NCGS 143-64-32.' Basically it was saying that we can hire an engineer without going through the process. August 20, 2007, Richardson, Smith, Gardner Engineers for the Avery County C&D Landfill project presented the case. Mr. Stacey Smith advised in the RFP that they were required to do a feasibility of an expansion versus just transferring the waste outside of the county. 'Summation of the cost of these options was discussed, considering current fuel costs and current transportation it became apparent that it wasn't as big a difference as we thought. A lot of times with 3500 tons a year we don't see people wanting to expand.' Phil May with Carolina Ecosystems explained the steps required to move through the stream expansion option. He advised that the stream channel between the two phases is already heavily impacted just from the historical use and things that biologist look for in

the stream was lacking in the stream channel. He said we had been asked to clean up the sedimentation which was already occurring downstream from that point down. Robert Wiseman said that Tim Greene, Buddy and I looked at these options in depth because we were told that we would be out of the existing landfill by July 1, 2008 otherwise we would fall under a new set of regulations that would "financially cripple us". Discussion on whether or not a public hearing would be required in order to select an option. Stacey said that no hearing is required since this is an expansion of an existing facility. September 4, 2007 minutes the county manager Robert Wiseman said that there was not much of a decision left to be made on the issue of C&D expansion project. Basically, the decision was made 9 months before a public hearing held. June 16, 2008 minutes one month prior to having to close down operations a public hearing was held. Mr. Norris said in that meeting there was 80 acres and a 200 foot buffer set back off the property line that ensures the county does not encroach on any landowner. The last regulation got rid of the buffer and now is bordering my property. I have photographs to show that. I am requesting that the county mitigate that property back to what they committed to the public back in 2008 before it was approved. I would suggest that property tax values be eliminated on that property because it is not what it is supposed to be. I am requesting that the 200 foot buffer be restored and is required by that public hearing.

Jack Slater, President of the Altamonte Acres Property Association, stated as George said we are greatly concerned about what has taken place. About four years ago they put in a spillway probably about 50 feet over from where they put this big new one. We don't understand why that had to be done. The situation has affected all of the homeowners there by all of the noise from the construction that is going on. There was no notice given to any of us about what was going to take place. Mr. Slater presented pictures to the Board.

Charles McKinney, Jr. stated that he had been a landowner in Avery County since 1996. I have some questions. I know it is going to take a little time to answer the questions. I am hoping to get on the agenda for the next meeting in order to get answers. Some of this arises from the actual drowning incident at Elk River Falls. We had a young guy jump and did not resurface. With what transpired down there this led me to ask some questions because I am a taxpayer in Avery County. The first question is I would like to know why there is no rescue station in Elk Park? There is equipment available. As far as #2 why do they not have a dive team? #3 I would like to see the gross money paid out to Linville Central Rescue Squad. #4 There is a letter circulating in the mail to all the people in Avery County that they provide dive, swift water and all of these rescue capabilities but I just got off the phone with Gordon Jordy, the main man at NC Association of Rescue and EMS and he clearly told me they are only certified in ambulance operation and medium rescue. #5 They have heavy duty rescue on the side of their unit. I was advised today that could be a lawsuit in the making if there was ever to be a bus versus a tractor and trailer.

Neil Reece stated he was from Elk Park. My questions are stemming just like Mr. McKinney's. When Avery County Rescue Squad came together with Linville Central we

gave all the equipment to Linville Central. Since that time they claim that they can do all of these specialties and it has not happened. As you seen the other day, Charlotte Fire Department came up here and Henderson County did. I want to know where my tax money is going and want to know how much and it is probably about \$1,000,000 since 2010 to present. I know they provide back up for EMS but if my family wrecks on old Beech Mountain then I have to wait for Linville Fire Department to bring a crash truck. They claim to be a specialty. We gave them the equipment, where is the equipment? At the end of the day I know the fire commission delegates but at the end of the day all of you commissioners are responsible for my tax money. I want to know how it is being used. Why don't we have a rescue squad? We have a building down there; half million dollar building and the grass is about this high down there. I don't want to hear from them that nobody will join. I took applications over there, we tried. They wanted me to take over as assistant chief of their rescue squad in 2010 and I refused at the time and I later went back and tried to join with six other men and we are still waiting to hear from them. I am asking the commissioners to check into this why we are not getting the same coverage in Elk Park and the lower end of the county that these people in Linville are getting. Linville Central has heavy rescue stamped on 1904 and they are medium rescue and someone wrecks in this county and requires heavy rescue and they can't provide it, you commissioners signed that they can operate in this county so that puts you liable. Somebody needs to look at that too because I don't want my tax money getting paid out for a lawsuit for some people saying they can do something and they can't.

Melynda Pepple, Avery Chamber of Commerce Director, thanked the commissioners for the funding that the chamber had received. She also thanked them for all of their support.

Larry Smith, Avery County Agricultural Advisory Board member, invited the Board to the annual Farm Tour on August 28, 2016.

Board Appointments

NCACC Voting Delegation

Motion by Reo Griffith and second by Faith Lacey to appoint Martha Hicks as the voting delegate for the NCACC Conference. Motion unanimously approved.

Review of Boards

The applicants for the Morrison Library Board and AMY Regional Library Board, and the Avery County Joint Community Advisory Committee will be reviewed and voted on for appointment at the next regular meeting.

Mayland Community College Board of Trustees

Reo Griffith stated that he thought the Mayland Community College Board of Trustees appointment should be a commissioner. Avery County is the only board of the three counties that do not have a county commissioner.

Motion by Reo Griffith and second by Faith Lacey to appoint Blake Vance to the Mayland Community College Board of Trustees. Motion unanimously approved.

Avery Senior Services Funding Plan – Philip Adams

Philip Adams advised that the Home and Community Care Funding Plan for 2016/2017 had been approved by the High Country Council of Government Block Grant Planning Committee and the High Country Area Agency on Aging. We are requesting that the Board of Commissioners approve the funding plan also. The funding is similar to the 2015/2016 year; we received \$5,000 more than last year.

Mr. Adams reported that one of the things that the Avery Senior Services do in the summer is cooperate with the Appalachian Service Project. Volunteer laborers from churches come in to Avery County. We offer the project office space and take applications year around. We have seen the results of their labor. The client that they helped had not been able to use her bathroom in several years. They built a shower. They have also helped with other client's homes.

Motion by Maxine Laws and second by Blake Vance to approve the Avery Senior Services Funding Plan for 2016/2017. Motion unanimously approved.

Tax Administrator Report – Phillip Barrier
Tax Collections Report

The total tax collections for the month of July 2016 are \$79,148.32.

Motion by Blake Vance and second by Maxine Laws to approve the Tax Collections for the month of July 2016 as presented. Motion unanimously approved.

There were no releases for the month of July 2016.

Mr. Barrier went over the sales for the month of July 2016.

County Manager Updates – Tim Greene

Swimming Pool Update & Agricultural Extension Building Update

The Selection Committees have gotten the RFQ's out for the architects. We would like to schedule a site visit for three different pools. Robbie Willis has three in mind. Jerry Moody is trying to come up with three sites for Ag. Extension buildings. The due date for the architects to get back the RFQ is August 10th. The following week we will narrow down and interview the top two or three architects. The Selection Committees will take the recommendations to the full Board at the September meeting. If everything goes as planned, both selection committees will give the recommendations to the full board at that time. Assuming the full board takes the recommendation, we will get up with the architect that was selected and have him come in and start talking with the county and the department about drawing up plans. If we can do a site visit and it would be an all day trip, one day for the swimming pools and one day for the ag. buildings, then when we hire an architect we would have some ideas in mind that we would share with them.

This is just an idea and is entirely up to the board. At some point we probably need to hold some workshops because there are a lot of things that need to be discussed that you don't have time in a regular meeting. August 23rd, 25th, 30th or September 1st would work for site visits.

Chair Hicks questioned Mr. Griffith if he was going to be able to attend the meetings for the Swimming Pool Committee because there had been two meetings already. Mr. Griffith said no if the Board wanted someone else to assist that would be fine. Consensus by the Board for Maxine Laws to serve on the Swimming Pool Committee.

The clerk will poll the Commissioners regarding site visits.

Recreation Property

At this point we are talking about doing the swimming pool at that site. We have got the doublewide sitting on the property. There are some things in the doublewide. Would the Board like to declare the doublewide surplus and sell it? Would the Board like to consider tearing the yellow house on the corner down?

Mr. Greene said we can advertise the doublewide and do bids on it and the high bidder would get it.

Motion by Blake Vance and second by Maxine Laws to put the doublewide out for bid and getting it removed from the recreation property. Motion unanimously approved.

Motion by Maxine Laws and second by Blake Vance to proceed with tearing the yellow house down and allowing the County Manager to proceed with that process. Motion unanimously approved.

Fence at the Square

Mr. Greene stated that he had told the Veteran's Committee that the price on the fence would be around \$15,800 but the price on that is \$20,082 so since I had threw a price out I wanted to inform everyone what the price was. This is no new money. I forgot to mention last time that we have the yellow traffic stops to keep people from running into the fence. This will protect the fence.

The hold up on the gazebo is that Hospice's corporate office required them to have three bids and the third bidder was a while getting a bid to them. That bid did not go into enough detail for what Hospice wanted. It is out of our hands but the corporate office for Hospice did decide to take the two bids. Hopefully, tomorrow we will know who is going to do it.

Commerce Fellows Grant

Avery County has been awarded the CDBG Grant. A lot of people are going to get a lot of training out of this. The chair will be signing more forms.

Kelly Johnson Property beside the Courthouse

Kelly Johnson called to let the county know that the property beside the courthouse is for sale and he is going to advertise that in the paper. He did say the price was around \$300,000 and the building was 9,000 to 10,000 square feet. Prior boards had told him if they ever sell it to let us know. Chair Hicks said that we had talked about how bad we need parking at the courthouse. I went myself and talked to Mr. Johnson and asked him whenever he decided to sell it to let us know and he said that is my wife's property. We are in need of parking at the courthouse. Blake Vance said maybe it would be handy for us to have a workshop and discuss all of these things. Chair Hicks said maybe we need to get back in touch with him and talk about it in a workshop.

Consensus of the board to do a workshop possibly on Monday, August 8th; the clerk will poll the commissioners.

Finance Officer Report – Nancy Johnson Budget Amendment

The Avery County Agriculture Extension Department requests a budget amendment for EFNEP Demo Supplies from a donation received.

Motion by Blake Vance and second by Maxine Laws to adopt the budget amendment for the Agriculture Extension Department in the amount of \$200.00 with a debit of \$200.00 to Supplies-Demo (106050.3310) and a credit of \$200.00 to Miscellaneous Revenue (103350.0000). Motion unanimously approved.

Budget Amendment

The Avery County Inspection Department requests a budget amendment for purchasing a new pickup truck. Their old truck will be transferred to the recreation department. The money needs to be transferred from Recreation.

Chair Hicks stated that she had talked to Joe Trivette today. The truck that they are going to buy is double cab and I asked them why. Joe said to carry their stuff in. I told them to put a toolbox on the back and buy single cabs. Double cabs costs more about \$4,000 more. They are probably only one person in inspections using that vehicle at one time. Reo Griffith asked for management to look into a single cab truck and report back to the board. We can vote on the amendment at the workshop.

Motion by Reo Griffith and second by Maxine Laws to table this budget amendment until the August 8th workshop. Motion unanimously approved.

Budget Amendment

A budget amendment is needed for additional wording to the Glen Hick's Memorial Sign.

Motion by Maxine Laws and second by Reo Griffith to adopt the Budget Amendment regarding the Glen Hick's Memorial sign of \$1,500.00 with a debit of

\$1,500.00 to Repairs and Maintenance (10.5000.1510) and a credit of \$1,500.00 to Available for Appropriation (10.7000.6000). Motion unanimously approved.

Budget Amendment

The Agriculture Extension Department needs a budget amendment for 3% COLA for all employees, for IPM Agent's June hours worked paid in July, and for IPM Agent's vacation payout.

Motion by Maxine Laws and second by Blake Vance to adopt the Budget Amendment regarding the Agriculture Extension Department with a debit of \$1,003.00 to Salary—County Extension Director (6050.0200); \$284.00 to Salary—County Extension Agent (6050.0210); \$585.00 to Salary—County Extension Director (6050.0220); \$750.00 Salary—County Admin. Assistants (6050.0225); \$7,335.00 to Salary—IPM Program Techn. (6050.0250); \$762.00 to FICA (6050.0500); \$920.00 to Retirement (6050.0600); \$615.00 to Group Insurance (6050.0700); and a debit of \$12,254.00 to Fund Balance Appropriation (3990.0000). Motion unanimously approved.

Budget Amendment

The Avery County Solid Waste department requests a budget amendment for the Sedimentation Basin #2 and cascade at the landfill. This item was budgeted in the 2015-2016 year, however, work was not completed. This work should be completed by October 2016.

Motion by Maxine Laws and second by Blake Vance to adopt the Budget Amendment for the Sedimentation Basin #2 with a debit of \$193,000 to Landfill-Cell Expansion (10.5800.7455) and a credit of \$193,000 to Fund Balance Appropriation (10.3990.0000). Motion unanimously approved.

Budget Amendment

The Department of Social Services requests a budget amendment for additional funding received from the state for Special Adoption incentives.

Motion by Blake Vance and second by Maxine Laws to adopt the budget Amendment for the Department of Social Services in the amount of \$7,200.00 with a debit of \$7,200.00 to Special Adoption Incentives (Expense) (10.6800.6020) and a credit of \$7,200.00 to Special Adoption Incentives (Revenue) (10.3643.0000). Motion unanimously approved.

County Attorney Report – Gerald McKinney

Nothing to report at this time.

Approval Of Minutes

Motion by Blake Vance and second by Maxine Laws to approve the May 2, 2016 Regular Session; June 6, 2016 Regular Session; June 20, 2016 Regular Session; and July 5, 2016 Regular Session. Motion unanimously approved.

Agenda Consent Items

Adopted by Consensus of the Board.

Upcoming Meetings

The next regular meeting will be Monday, August 15, 2016 at 6:00 p.m. The regular meeting for Monday, September 5, 2016 is rescheduled for Tuesday, September 6, 2016 at 6:00 p.m. due to the Labor Day Holiday.

Adjourn

Motion by Reo Griffith and second by Blake Vance to adjourn this meeting at 7:25 p.m. Motion unanimously approved.

Martha Hicks, Chair
Avery County Board of Commissioners

ATTEST: _____
Cindy Turbyfill, Clerk