

**STATE OF NORTH CAROLINA
COUNTY OF AVERY**

The Avery County Board of Commissioners met in Regular Session on Monday, August 7, 2017 at 3:30 p.m. in the Commissioners Board Room, Avery County Administrative Complex, 175 Linville Street, Newland, NC.

Members Present: Martha Hicks, Chair; Blake Vance, Vice-Chair; Faith Lacey; Tim Phillips; Wood Hall Young, Jr.

Members Absent: None

Call To Order

Chair Hicks called the meeting to order at 3:30 p.m.
Phillip Barrier led prayer
Blake Vance led the Pledge of Allegiance.

Proclamations and Awards

Four county employees were recognized for their years of service to the citizens of Avery County: Alesia Calloway 26 years; Deanna Daniels 25 years; Joe Trivette 24 years; Finley Love 23 years.

Public Comment

Taunia Erno, Linville Resident, spoke regarding the loud noise in Linville and asked that the commissioners consider a noise ordinance.

Board Appointments

DSS Board

Jerry Markland has applied for the Social Services Board. This application has been reviewed.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to appoint Jerry Markland to the Social Services Board. Motion unanimously approved.

Appointment of Tax Collector

WHEREAS, The Avery County Tax Collector serves a two year term appointed in odd numbered years; and

WHEREAS, the Board of County Commissioners previously indicated that it desired the tax collector and tax administrator to be the same individual; and

WHEREAS, the Board appointed Bruce Daniels as tax administrator in July 2017 and the Board intended to appoint said individual to the combined office of tax administrator and tax collector; and

WHEREAS, the Board hereby, pursuant to NCGS 105-349, appoints Bruce Daniels as Tax Collector, with such term set to expire 1 July 2019; and

NOW, THEREFORE, BE IT RESOLVED that the Avery County Board of Commissioners meeting in regular session on the ____ day of August, 2017, pursuant to NCGS 105-349 appoints Bruce Daniels as Tax Collector.

The Board of Commissioners further authorizes the Chair to sign this resolution.

Motion by Faith Lacey and second by Blake Vance to appoint Bruce Daniels as the Tax Collector for Avery County. Motion unanimously approved.

Review of Avery Fire Commission Applicant

Review of the applicant for the Avery Fire Commission position. The position will be appointed next regular meeting.

PreKindergarten Request – Ken Townsend, Superintendent

Ken Townsend, Avery County Superintendent, explained that in May we brought you our budget request and with that we did have the pre K figured in. Since that time what has happened we have gotten the state budget and with the state budget there has been things that have changed. Any position that we fund that is local when there is a change in benefits we have to absorb that. We feel like pre K has been a priority because we have seen the results. We have continued to fund this beyond the stream of funding that we have. When I first looked at our budget and got our funding allotments in early July I saw the funding deficits that we had. At that time I felt we needed to cut a classroom but our board felt that we did not need to do this so our board committed to fund that this year out of our fund balance. We are here today to ask if you could help us in any way we would appreciate it and if you can't we understand that.

There was discussion about the requested funds for pre K.

Wood Hall Young, Jr. stated that historically that anytime a cut has been made to anything at the school system it was Beech Mountain, Elk Park, Minneapolis, or Riverside. Now the cuts are from Cranberry/Freedom Trail and Riverside. I believe that the children on our end of the county are just as important and deserve the same opportunity that they do everywhere else. I don't like the idea of the cuts coming from our end of the county. I feel like the intent was to cut pre K from Riverside and when the parents decided to voice their concerns you brought it to the Board of Commissioners and thought you would put it off on us.

Mr. Townsend stated that the decision to look at cutting Riverside was solely on the numbers. I can guarantee you that those children are just as important as any other children in the county. This was based on the money part of that. There was no intent to harm anyone.

Mr. Townsend stated that we are not necessarily asking the commissioners to act today. The Board of Education has committed that there will be a pre K in Riverside this year. There will need to be a discussion between now and May of next year about the pre K program in Avery County.

Motion by Tim Phillips and second by Blake Vance to table this issue until further information is gathered. Motion unanimously approved.

Recess

Chair Hicks called for a brief recess.

Chair Hicks declared the meeting to be back in session after a brief recess.

New Swimming Pool Project

Mary Isaacs, Architect, stated that Option A is a 5000 square foot pool with a 4150 square foot building. We had put together a budget with that. One of the things that came up was to work the building so this could tie into a future recreation center. Option A has the building flipped from the other option before. We have given several different options. Two things that I would like to get accomplished today is to agree to the concept of the building and pool layout and the budget and then we can come back and tweak things as needed to get to the budget. It makes things a lot easier to have a number to work towards. We have tried to err on the high side of the budget numbers. The rectangular pool is more of a destination pool which is a little harder to do a lot of other things in this pool. Destination pools tend to have a lot of features. If it is going to be a destination pool, it needs to have a spectacular slide and multiple features and that of course comes with a cost.

There is an option for an L shaped pool with lanes to swim in but not a competition pool; this will not limit you as much as a destination pool. The L shaped pool is the same square footage as the other pool. The L shaped can be done at the same cost as the rectangular pool. This would include a diving board, slide and two water features.

Ms. Isaacs explained several different options of pools.

Blake Vance stated "we are basically at 1.9 million dollars. When we started this thing almost a year ago we were for an indoor at 2 million dollars. My contention all along is that our cost estimates have been all over the map. This tweaking that you mentioned has been because of the information we have been given. There has been four or five times that we have made cuts and sacrificed size and things that we wanted for the purposes of cost but when it comes back the cost keeps climbing and that has happened time and time again. I have said this before that I don't have a lot of confidence in these numbers. My concern is that we are going into this project with bad information because these numbers have been from 1.2 million dollars to 4 million dollars for a cover. When this goes out to bid I don't know if we are looking at \$750,000 to 2 million dollars or somewhere in between."

Tim Phillips stated that we have put ourselves in a bad position by not putting out the price not to exceed. We have had her working towards something without a budget.

Discussion regarding the slide and other features.

Motion by Tim Phillips and second by Wood Hall Young, Jr. to accept Option B (L shaped pool) with a 1.8 million dollar budget.

VOTE: 4 to 1.

Blake Vance opposed.

Ms. Isaacs stated that we will come back with a 50% submittal which would be plans, elevations, engineering drawings, elevation drawings and then we would come back with 90% submittal, tweak the finishes, complete drawings and then we would go out to bid. We would like to get this out to bid by January.

NC Statewide Emergency Management Mutual Aid and Assistance Agreement (Revision 2016)

This agreement is entered into between the NC Department of Public Safety and its division of Emergency Management of the State of North Carolina and by each of the entities that executes and adopts the understandings, commitments, terms, and conditions. This agreement is to help with mutual aid between different entities.

Motion by Blake Vance and second by Tim Phillips to approve the NC Statewide Emergency Management Mutual Aid and Assistance Agreement. Motion unanimously approved.

Tax Administrator Report – Bruce Daniels

Tax Collections

The total tax collections for the month of July 2017 are \$423,567.15.

Motion by Wood Hall Young, Jr. and second by Blake Vance to approve the total tax collections for the month of July 2017 as presented. Motion unanimously approved.

Regular Releases

The Regular Releases for the month of July 2017 is \$3209.56.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to approve the Regular Releases for the month of July 2017 as presented. Motion unanimously approved.

Resolution Regarding Revaluation

Whereas, pursuant to G.S. 105-286, Avery County has been following an octennial schedule of reappraisal of real property for ad valorem assessments, and is currently scheduled to adopt new values on January 1, 2022; and

Whereas, G.S. 105-286 (a) (2) provides that any county desiring to conduct a reappraisal of real property earlier than required by this subsection (a) may do so upon adoption by the Board of County Commissioners of a resolution so providing; and

Whereas, the Board of County Commissioners are of the opinion that an earlier reappraisal than the reappraisal scheduled for 2022 will establish greater equity in property assessments, and will more nearly equalize assessments of all real property owners in Avery County,

Now Therefore, Be It Resolved, that the Avery County Board of Commissioners does hereby advance its scheduled octennial of all real property in Avery County to January 1, 2018, and directs the Clerk to promptly forward a copy of this Resolution to the N.C. Department of Revenue.

Motion by Blake Vance and second by Tim Phillips to adopt the Resolution regarding Revaluation. Motion unanimously approved.

Bruce Daniels, Tax Administrator, gave examples of sales for the month of July 2017.

Resolution Regarding Board Policy Section 7.12

Blake Vance stated that this is something that I have talked about earlier in the year. There has been an issue made with a part of the policy regarding term limits on boards. This is changing our policy that eliminates the two terms or six years.

WHEREAS, The Avery County Board of Commissioners has adopted a Board Policy; and

WHEREAS, the Board of County Commissioners, hereinafter sometimes referred to as the "Board", has adopted a Board Policy establishing the Procedure for Advisory Boards, Committees, and Commission Appointments; and

WHEREAS, the Board desires to modify Section 7.12 of said Policy;

NOW, THEREFORE, BE IT RESOLVED that the Avery County Board of Commissioners meeting in regular session on the ____ day of _____, 2017, hereby amends Section 7 of its Policy such that as amended, Section 7.12 reads as follows:

7.12 Membership Terms:

A. Except in extraordinary circumstances or where otherwise restricted by legislative authority creating or authorizing the creation of County boards, committees, or commissions, it shall be the policy of the Board of Commissioners of Avery County that terms of membership on County boards, committees, or commissions shall be staggered. The preferred length of such terms is three years, with terms staggered such that appointments are made each year.

Members may serve multiple terms consecutively or nonconsecutively.

B. Effort should be made when new committees, boards or

commissions are created (and for existing committees, boards or commissions as well) to cause the terms of its members to expire during the same quarter of the year such term expires.

C. A member of a committee, commission, or board shall continue to serve upon expiration of his/her term until his/her successor is duly named and qualified, or unless he/she resigns.

D. The Clerk to the Board shall inform the Board of Commissioners at least sixty (60) days prior to the expiration of a term on any committee, commission, or board, and any member of a committee, commission, or board resigning prior to the expiration of his/her term shall give written notice thereof to the Board of Commissioners through the Chairman of the Board of Commissioners or the Clerk to the Board.

The Board of Commissioners further authorizes the Chair to sign this resolution.

Motion by Wood Hall Young, Jr. and second by Blake Vance to adopt the Resolution Regarding Board Policy Section 7.12.

VOTE: 4 to 1.

Faith Lacey opposed.

15 Passenger Van

Motion by Blake Vance and second by Tim Phillips to remove the 15 Passenger Van off of the table and discuss. Motion unanimously approved.

Wood Hall Young, Jr. stated that he thought we needed to authorize buying the van.

Chair Hicks questioned if the bus was being used. Mr. Young stated that it was his understanding that the bus was sitting there. The bus and two old vans should be sold.

Motion by Wood Hall Young, Jr. and second by Blake Vance to buy the 2017 15 passenger van with remote entry and that we sell the two vans and the old bus and the money go towards this and that the Board does a budget amendment to take care of the van, tag, tax and title. Motion unanimously approved.

Mr. Young stated that at the last meeting we talked about looking at a grant and at the last meeting Ms. Lacey said she didn't have any confidence in getting a grant and I wanted her to know that I agree with her 100% because the grant process is very long and does not happen in weeks or months. I thank the Board for this because it is something that is much needed.

County Manager Updates – Phillip Barrier

Building beside the courthouse and old pool demolition

We did rebid that and we awarded the bid to Eggers Construction.

Agriculture Building Update

Things are moving along well.

Economic Development Committee

The Economic Development Committee is working hard. They are meeting in subgroups more than once a month.

Employee Meetings

We have had employee meetings that consisted of fire extinguisher training, hostile situation training, FMLA and worker's comp.

Finance Officer Report – Nancy Johnson

Budget Amendment

Avery County EMS requests the following budget amendment for repairs to the EMS building. The bid came in at \$49,685 and only \$24,000 was budgeted.

Motion by Wood Hall Young, Jr. and second by Blake Vance to adopt the budget amendment in amount of \$25,685.00 with a debit of \$25,685.00 to Capital Outlay (105300.7480) and a credit of \$25,685.00 to Fund Balance Appropriation (103990.0000). Motion unanimously approved.

Budget Amendment

The Avery County Recreation Department requests the following budget amendment for demolition of the old pool (total demolition cost \$17,650).

Motion by Blake Vance and second by Tim Phillips to adopt the budget amendment in amount of \$6,800.00 with a debit of \$6,800.00 to Capital Outlay (106200.7400) and a credit of \$6,800.00 to Fund Balance Appropriation (103990.0000). Motion unanimously approved.

Budget Amendment

The Avery County Buildings and Grounds Department requests a budget amendment for demolition of the Old Kelly Johnson building. (Total demolition cost \$50,575).

Motion by Blake Vance and second by Tim Phillips to adopt the budget amendment in the amount of \$19,075.00 with a debit of \$19,075.00 to Capital Outlay—Johnson/Lacey Property (105000.7425) and a credit of \$19,075.00 to Fund Balance Appropriation (103990.0000). Motion unanimously approved.

Budget Amendment

The Avery County Agricultural Extension Department requests the following budget amendment for purchasing a new 15 passenger van.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to adopt the budget amendment in the amount of \$30,000.00 with a debit of \$30,000.00 to Capital Outlay (106050.7400) and a credit of \$30,000.00 to Fund Balance Appropriation (103990.0000). Motion unanimously approved.

Closed Session

Motion by Blake Vance and second by Wood Hall Young, Jr. to go into Closed Session at 6:02 p.m. per N.C.G.S. 143-318.11 (a)(3) Attorney/Client Privilege. Motion unanimously approved. Invitees are the Board, County Manager, County Attorney, Clerk.

Chair Hicks declared the meeting to be back in Regular Session after a time of Closed Session at 6:25 p.m. During closed session, no vote was taken and the minutes were sealed.

Approval of Minutes

Motion by Blake Vance and second by Wood Hall Young, Jr. to approve the April 13, 2017 Budget Workshop; April 24, 2017, Budget Workshop; May 8, 2017 Special Meeting; June 19, 2017 Regular Meeting. Motion unanimously approved.

Agenda Consent Items

Adopted by Consensus of the Board.

Upcoming Meetings

The next meeting will be August 21, 2017 at 3:30 p.m.

Adjourn

Motion by Wood Hall Young, Jr. and second by Blake Vance to adjourn this meeting at 6:28 p.m. Motion unanimously approved.

Martha Hicks, Chair
Avery County Board of Commissioners

ATTEST: _____
Cindy Turbyfill, Clerk

