

**STATE OF NORTH CAROLINA
COUNTY OF AVERY**

The Avery County Board of Commissioners met in Regular Session on Monday, June 3, 2019 at 3:30 p.m. in the Commissioners Board Room, Avery County Administrative Complex, 175 Linville Street, Newland, NC.

Members Present: Martha Hicks, Chair; Dennis Aldridge; Tim Phillips; Wood Hall Young, Jr.

Members Absent: Blake Vance, Vice-Chair

Call To Order

Chair Hicks called the meeting to order at 3:30 p.m.

Dennis Aldridge led prayer.

Tim Phillips led the Pledge of Allegiance.

Phillip Barrier, County Manager, advised that the agenda needed to be amended to include a Memorandum of Understanding and a Resolution for the Agriculture Community Room and a Resolution Authorizing Funding Request for the Preconstruction of Avery County High School under 3.4C; an addition to 3.4A2 to allow the County Manager to sign a contract for the employee assistance program; and under 3.4B to include Little League.

Motion by Tim Phillips and second by Dennis Aldridge to amend the agenda as stated above. Motion unanimous with those in attendance (4-0).

Public Comment

Nikki Lamonte spoke regarding the banks of the Elk River in Avery County. Eagles Nest has developed the land and in many areas approved the land bordering Hwy 184 on the way out of Banner Elk however they have not kept the river in mind as they have developed their fish cabins along the river. They have a building plan for the river but there was oversight when dealing with plants and buffers around the Elk River. Ms. Lamonte presented pictures to the Board. The trout buffer is gone. There is nothing to catch the oils and gas from cars and other run offs from going into the Elk River. The fish club is worried about impact on the water and the fish. I implore you to ask Eagles Nest to be good stewards to the Elk River. Please ask them to repair the buffer. I think remediation is the best solution.

Tommy Burlison, Avery County Planning and Inspections Director, stated that he understood Ms. Lamontes' concern. Eagles Nest had a Hwy 194 setback that they had to maintain plus a water quality setback that had to be maintained. They do have a replanting schedule. They are only allowed hand tools so the root mass has not been removed. The Avery Planning Department is diligent and adamant about our water quality. I know that Eagles Nest is compliant.

Chair Hicks stepped down from the podium to speak in public comment. Ms. Hicks stated that she did have a concern also because she lived in Heaton and been flooded three different times. The last rain that we had there was more water that came down than came down at the big flood. If you clear around the river it lets it flow faster. It is my concern. It looks nice but my concern is when we get the hard rains it is turning all that water down the Elk River. There have been people that have brought that to my attention.

Board Appointments

Avery County Planning Board

Daryl Smith has applied for the Avery County Planning Board. This application has been reviewed.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to appoint Daryl Smith to the Avery County Planning Board. Motion unanimous with those in attendance (4-0).

Avery County Economic Development Advisory Committee

Mike Reece resigned from the Economic Development Advisory Committee shortly after his appointment due to a change in his job and an application is attached for Mr. Dave Smith to fill out the remainder of Mr. Reece's term.

Motion by Tim Phillips and second by Dennis Aldridge to appoint Dave Smith to the Avery County Economic Development Advisory Committee. Motion unanimous with those in attendance (4-0).

Review of Applications

Applications for review are Randall Joe Buchanan (Avery County Planning Board); Jennie Harpold and Carmen Lacey (Mayland Community College Board of Trustees); Susan Sirilla, Kate Gavenus, Eric Berg (Avery County Economic Development Committee).

Resolution Expressing Support for Preservation of the Right to Bear Arms

WHEREAS, the Second Amendment to the Constitution of the United States reads as follows: "*A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed;*" and

WHEREAS, the Supreme Court of the United States, in the case of District of Columbia, et al. v. Heller, 554 U.S. 570 (2008), has ruled that the Second Amendment protects an individual's right to bear arms; and

WHEREAS, the Supreme Court of the United States, in the case McDonald, et al v. City of Chicago, Illinois, 561 U.S. 742 (2010), has ruled that the Due Process Clause of the Fourteenth Amendment incorporates the Second Amendment right recognized in Heller; and

WHEREAS, Article I, Section 30 of the Constitution of the State of North Carolina reads in part as follows: “*A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed;*” and

WHEREAS, the Supreme Court of the State of North Carolina, in the case of State v. Dawson, 272 N.C. 535 (1968), stated that this provision of the Constitution of the State of North Carolina (at that time contained in Article I, Section 24) protects an individual’s right to bear arms, subject only to reasonable regulation by the State; and

WHEREAS, this Board recognized the role of reasonable governmental oversight of the firearms trade and the ability of the government to restrict the possession of firearms from those who have committed crimes and from those with mental illness; and

WHEREAS, this Board at the same time recognizes the unassailable right of the law-abiding citizen to purchase, own, and possess firearms, free from unreasonable restraint and regulation;

NOW, THEREFORE, BE IT RESOLVED, that the Avery County Board of Commissioners officially adopts this resolution supporting the unassailable right of law-abiding individual to purchase, own, and possess firearms, free from unreasonable restraint and regulation, as enshrined in our history and protected by the both the United States and North Carolina Constitutions; and

BE IT FURTHER RESOLVED, that the Avery County Board of Commissioners commits to take all appropriate steps to affirm and support the preservation of this right.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to adopt the Resolution Expressing Support for Preservation of the Right to Bear Arms. Motion unanimous with those in attendance (4-0).

Tax Administrator Report – Bruce Daniels

Tax Collections Report

The Total Tax Collections for the month of May 2019 are \$90,864.81.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to approve the total Tax Collections as presented. Motion unanimous with those in attendance (4-0).

Releases

The total Releases for the month of May 2019 are \$56.25.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to approve the total Releases as presented. Motion unanimous with those in attendance (4-0).

Sales Statistics

For May 2019 we have a total of 48 sales at 90%.

Recess

Chair Hicks called for a brief recess.

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

Public Hearing

Motion by Tim Phillips and second by Dennis Aldridge to go into a time of Public Hearing Regarding Obtaining an \$11,000,000 Installment Financing Contract for the Addition & Renovation of the Avery County High School. Motion unanimously approved with those in attendance (4-0).

Phillip Barrier, County Manager, explained that requests for proposals were sent out for financing of the high school. We had two banks respond to that. One is Sterling Bank which has a 3.05% interest rate for 15 years fixed and they do allow prepayments. United Community Bank submitted an interest rate of 3.19% with a 15 year fixed rate. Their loan depends on an appraisal and a survey. There is already a survey on record. They will need a commercial appraisal which would take 2-3 weeks. Michaelle Poore, County Attorney stated that what she had seen in the past for commercial appraisals started around \$3,000. The United Community Bank is also requiring that they be in the first lien position. There is an existing deed of trust on the high school property for the Qzab bonds. Sterling Bank is willing to be second lien holder without paying off the Qzab bonds but United Community Bank requires this to be paid. Chair Hicks questioned what the balance on that was. Tim Greene, Finance Officer, said there are three installments of \$110,000 left on that bond loan and these cannot be paid off early. Dennis Aldridge stated that would be an obstacle with United Community Bank. Ms. Poore stated that she had spoken with United Community Bank and they said they had to be in the first lien position. Mr. Barrier stated that the recommendation from management was to go with Sterling Bank. Mr. Greene stated that there would be \$130,000 interest savings with going with Sterling Bank.

Mr. Aldridge stated that he was hoping to use United Community Bank because it was a local entity and we always talk about buying locally. Even if the price was a little more, my thought was this might generate some benefit in the local branch. With the information that we have received from the attorney and new insight into the requirements that they have, I think it would be difficult to go that route at this point.

Tim Phillips stated that he thought that we were all going the route of United Community Bank until we got the information about paying off the Qzab bond which has put a halt to that now.

Wood Hall Young, Jr. stated that he had spoken with the branch manager and she stated that it would be huge if they could secure this loan. That was the way I was leaning even with it costing us a little more because they are local. Is there no way to work out anything with the loan? Ms. Poore stated that she is not aware of any way.

Ms. Poore pointed out to the board that if there is a different amount or it is sent out for proposals again we would need to re-advertise for another public hearing.

Mr. Young questioned if there could be extra paid on the high school loan. Mr. Greene answered that \$600,000 is the max that can be paid per year and that would have to start after the fourth year of the loan.

Eron Thiele stated that actions speak louder than words and people are going to look at what you do not what you say here so if you are going to tell people to shop local they are going to see what you do.

Mr. Aldridge stated that was our intent. If the only consideration was the interest difference we were willing to absorb that for the sake of getting a local source. The Qzab first lien position has changed our ability.

Mr. Young questioned if there was any way to work this out to use United Community Bank. Mr. Greene said not that he was aware of.

Mr. Aldridge said the requirement of a commercial appraisal is an additional fee and time and this has to be in place before it is presented to the local government commission. If all things were equal, this would not be a disqualifier but not all things are equal.

There were no further public comments.

Motion by Dennis Aldridge and second by Tim Phillips to go out of the Public Hearing at 4:21 p.m. Motion unanimously approved with those in attendance (4-0).

County Manager Updates – Phillip Barrier, Jr.

Swimming Pool Update

The Avery County Aquatic Center is open. We had 363 people in the pool on the opening day. We are open 1-5 on Sundays; 10-5 Monday thru Saturday. The pool and community room is rentable.

Agricultural Building Community Room

The architect is working on some designs. We will schedule some field trips to look at community rooms in the future.

Riverside EMS Base Update

Slab is poured; building is ordered. New roof for the existing building is ordered.

STIP Program

STIP is the state transportation program. The deadline for submittals to the STIP program is July 12th.

We will be having a meeting with the municipality leaders and the local Department of Transportation about the road conditions in Avery County.

Public Hearing Regarding Fiscal Year Budget 2019/2020

Motion by Wood Hall Young, Jr. and second by Dennis Aldridge to go into a time of Public Hearing Regarding the Fiscal Year Budget 2019/2020 at 4:30 p.m.

Motion unanimous with those in attendance (4-0).

In accordance with North Carolina General Statute 159-11, the Avery County Fiscal Year 2019-2020 proposed budget is respectfully submitted for your review and consideration. This document provides the financial framework for the programs and services which Avery County government will be undertaking in the next fiscal year. The budget provides the resources needed to ensure the delivery of governmental services in a fiscally responsible manner. The proposed budget is a continuation of the financially sound and conservative practices Avery County government has established and embraced. The Board held budget workshops in order to make changes to the proposed budget. North Carolina General Statute 159-11 stipulates that a public hearing be held in order to inform the public and allow any interested citizens the opportunity to express their opinions on the budget after the budget message is presented. This budget message represents an explanation of the budgetary decisions derived as a result of in depth dialogue between the County Manager, Finance Officer and each department head and any changes made during the budget workshops. The cumulative total of necessary operational and capital expenses considered in light of revenues generated by the departments, combined with State and Federal funding, determines the amount of funding which will be necessary from the citizens of Avery County.

The 2019/20 budget as presented is balanced based on a total property valuation of \$4.036 billion. This represents an increase of \$92.9 million or 2.4 % over last year's valuation of \$3.943 billion. The general fund tax rate will remain at 48 cents (\$0.48) per \$100 valuation which will generate an estimated \$19 million dollars in revenues. The county wide fire tax rate will remain at 7.0 cents (\$0.07). The Fire Commission and volunteer fire departments will receive an estimated \$2.74 million dollars in revenue.

The combination of these two rates results in an overall tax rate of 55 cents (\$0.5500) for the 2019/2020 fiscal year. This rate is the same as the last fiscal year.

GENERAL FUND

Expenses

The total General Fund Budget is set at \$30.2 million. This is a \$600-thousand-dollar increase from the 2018/19 fiscal year. The increases include payment for the Avery county high school addition and renovation and a 1 percent increase to all permanent full-time and permanent part-time employees.

General Government is increasing \$345 thousand dollars. The increase is primarily attributed to increased excise taxes that are forwarded to the State of N.C. and to increased capital expenditures in the buildings and grounds and finance departments. Capital expenditures include a new boiler, paving and new county-wide phone system.

Public Safety is increasing \$305 thousand dollars. The increase is primarily for increased capital expenditures and increased food for the jail. Capital items include 7 new vehicles for the sheriff's department, a new ambulance, an ambulance remount for the EMS department and a new tower and repeater for the Frank community.

Transportation is decreasing \$513 thousand dollars due to lower capital expenditures.

Environmental Protection is decreasing \$150 thousand dollars. Last years' budget included funds to close one of the cells at the landfill.

Economic and Physical Development is increasing \$12 thousand dollars. The increase is primarily due to increased NC State University salaries.

Funding for Human Services is increasing \$116 thousand dollars. The increase is primarily due to the addition of two new employees in the social services department.

Cultural and Recreation is increasing \$14 thousand dollars. The primary reason is reduced capital expenditures in the parks & recreation department.

Education is increasing \$133 thousand dollars from the previous year's budget. Of this increase, Avery Schools will receive an additional \$114 thousand dollars and Mayland Community College will receive an additional \$19 thousand dollars.

Public Safety is the largest expenditure for the County consuming 30% of the total budget. Education and the associated debt service is the next largest expenditure at 24%. Human Services is third largest at 17% while all other County functions total 29%.

Revenue

Property tax revenue is projected to increase \$405 thousand dollars or 2.18% from last fiscal year. The increase is due to a \$93 million-dollar increase in the ad valorem tax base.

Local Option Sales Taxes are projected to increase \$524 thousand dollars.

Other Taxes and Licenses are projected to remain the same as last fiscal year.

Intergovernmental revenues are projected to increase \$62 thousand dollars primarily due to increased state and federal revenues.

Licenses and Permits are projected to remain the same as last fiscal year.

Sales and Services are projected to decrease \$441 thousand dollars primarily due to decreased reimbursements from the NC State Department of Transportation.

Investment Earnings and Other Income are projected to increase \$50 thousand dollars due to higher forecasted investment income.

Property tax revenue will generate 63% of the County's revenue, followed by sales taxes at 19%, intergovernmental transfers at 8%, sales and services at 6% and all others at 4%.

OTHER FUNDS

Fire Tax Fund

The Fire Tax Fund budget for the 2019/20 fiscal year is \$2.7 million dollars or \$53 thousand dollars more than last fiscal year.

E911 Fund

The E911 Fund budget for fiscal year 2019/20 is \$371 thousand dollars. This is an increase of \$52 thousand dollars from the prior fiscal year.

Revaluation Fund

The Revaluation Fund budget is \$131 thousand dollars for the fiscal year 2019/20. Avery County budgets annually for the mandatory revaluation. It should be noted that the County performs an in-house revaluation using existing staff as opposed to contracting this service out.

FINANCIAL STABILITY

Avery County is proud to report that the county fund balance exceeds the state requirements. This budget for 2019/20, as presented, does not include any fund balance appropriation.

CAPITAL PROJECTS

Over the past several years, Avery County has developed and adhered to a financial plan designed to promote a “pay-as-you-go” capital philosophy. As a result of this philosophy, the county has funded the Agricultural Center, and the County Recreation Pool in cash.

The new Avery County High School addition will begin construction this summer.

The County also plans to move forward with the community room at the Agriculture Center without incurring any debt. The Community Room project will involve the construction of a multi-purpose space to be located on the Agricultural Center Heritage Park Property. This will allow the county to fulfill a need for a meeting, exhibit and performance space for all citizens in our county.

Current major capital project:

High School Addition & Renovation

Start fall 2017

Finish summer 2021

Estimated Cost - \$20,300,000

Future current capital project:

Community room

Start summer 2019

Finish fall 2020

Estimated Cost - \$1,200,000

OVERVIEW

The attached 2019/20 FY Budget Ordinance for Avery County contains the detailed breakdown of anticipated revenues and expenses for the year to end June 30, 2020. This Ordinance is respectfully presented for adoption this 3rd day of June 2019.

Chair Hicks asked for comments from the public.

There were no public comments.

Dennis Aldridge stated that we are looking at the passage of a budget ordinance that is the largest that we have seen. That is a daunting proposal. I would say that we as the commissioners as we have searched and looked at this we have taken this very seriously. We have looked at every aspect of this budget. Everything that is funded is a public trust and what we do is for the benefit of the citizenry and visitors of Avery County. All the money that comes in is to provide services that would benefit the citizens of this county. We try to do that judiciously. This is not spending for the sake of spending but that services will be enhanced, new services provided and safety would be recognized in the things that we do. We arrived at this figure not because we wanted to but because we felt the necessity to bring us to this point of moving forward. We must never forget that all of these things are for the people out there and not for the county government as such. We were elected and represent the people of the county and their best interest. We feel that this budget as it is presented meets this criteria.

Tim Phillips commented that he felt like we have come a long way this year in trying to fund everything that needed to be funded. We may have dropped the ball in an area or two but we are working on that. There are some places that we need to reevaluate before another budget year and hopefully we will get that done by next year. Overall I think it is a good budget.

Wood Hall Young, Jr. stated that he thought it was a good budget but was not a perfect budget. We five members do not agree on everything but we are able to work things out. There are areas that need a little more work and I know that four of us here have agreed that next year it will get a little more work. 30 million dollars is a lot of money but when you look over the budget there is a lot of services that the people pay for and we are in the service business. I would like to thank the board and everyone else that came and stayed late nights. It was taken very seriously.

Chair Hicks said that one thing about a budget we can do a budget amendment to work on our mistakes. We did include seven new cars for the sheriff's office. This is all about the safety of our deputies. The high school is 50 years old. We are building a 24 classroom building. I am happy the taxpayers give us the money to improve the county. We did work hard on this budget and had hard discussions and this is the best that we can do in the budget this year.

Wood Hall Young, Jr. commented that the budget was balanced without anything taken out of fund balance and no tax increase.

Motion by Wood Hall Young, Jr. and second by Dennis Aldridge to go out of a time of Public Hearing at 4:55 p.m. Motion unanimous with those in attendance (4-0).

Be it ordained by the Board of Commissioners of Avery County, North Carolina:

SECTION 1:

The following amounts are hereby appropriated in the General Fund for the operation of Avery County Government and its activities for the fiscal year beginning July 1, 2019 and ending June 30, 2020, in accordance with the chart of accounts heretofore established for this County:

General Government	4,087,206
Public Safety	9,166,347
Transportation	846,772
Environmental Protection	2,308,650
Economic & Physical Development	389,102
Human Services	5,040,640
Cultural & Recreational	536,186
Education	5,824,640
General Fund Debt Service	1,498,633
Transfer to Revaluation Fund	115,000
Transfer to High School Renovation Project Fund	346,361
Transfer to Component Unit (Airport)	78,334
Total Appropriations	<u>30,237,871</u>

SECTION 2:

It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2019 and ending June 30, 2020:

Ad Valorem Taxes	19,012,000
Local Option Sales Tax	5,700,000
Other Taxes & Licenses	480,000
Unrestricted Intergovernmental	275,500
Restricted Intergovernmental	2,204,071
Licenses & Permits	330,500
Sales & Services	1,968,800
Investment Earnings	225,000
Other Income	42,000
Fund Balance Appropriation	-
Total Estimated Revenues	<u>30,237,871</u>

SECTION 3:

The following amounts are hereby appropriated in the 911 Emergency Telephone System Fund for the operation of the system for the fiscal year beginning July 1, 2019 and ending June 30, 2020:

Addressing & Data Provisioning	47,562
Operating Expenses	148,739
Capital	174,418
Total Appropriations	<u>370,719</u>

SECTION 4:

It is estimated that the following revenues will be available in the 911 Emergency Telephone System Fund for the fiscal year beginning July 1, 2019 and ending June 30, 2020:

911 Charges	203,511
Interest on Investments	375
Fund Balance Appropriation	166,833
Total Estimated Revenues	<u>370,719</u>

SECTION 5:

The following amounts are hereby appropriated in the Fire Districts Fund for the operation of fire protection services for the fiscal year beginning July 1, 2019 and ending June 30, 2020, in accordance with the chart of accounts heretofore established for this County:

Fire Association	-
Elk Park Fire Department	62,046
Crossnore Fire Department	66,736
Linville Fire Department	74,960
Frank Fire Department	62,620
Green Valley Fire Department	48,194
Banner Elk Fire Department	72,050
Newland Fire Department	66,050
Fall Creek Fire Department	61,188
Seven Devils Fire Department	11,858
Beech Mtn. Fire Department	42,641
Fire Commission	2,069,628
Avery County Ladder Truck Co.	28,810
Linville Central Rescue Squad	64,719
Total Appropriations	<u>2,731,500</u>

SECTION 6:

It is estimated that the following revenues will be available in the Fire Districts Fund for the fiscal year beginning July 1, 2019 and ending June 30, 2020:

Fire Tax Levy Revenue	2,731,500
Transfer From General Fund	-
Total Estimated Revenues	<u>2,731,500</u>

SECTION 7:

The following amounts are hereby appropriated in the Revaluation Fund for revaluation of property in Avery County during the fiscal year beginning July 1, 2019 and ending June 30, 2020, in accordance with the chart of accounts heretofore established for this County:

Personnel Expenses	115,645
Operating Expenses	15,697
Capital	-
Total Appropriations	<u>131,342</u>

SECTION 8:

It is estimated that the following revenues will be available in the Revaluation Fund for the fiscal year beginning July 1, 2019 and ending June 30, 2020:

Transfer From General Fund	115,000
Fund Balance Appropriation	16,342
Total Estimated Revenues	<u>131,342</u>

SECTION 9:

The following amounts are hereby appropriated in the High School Renovation Project Fund for the construction and renovation of the High School during the fiscal year beginning July 1, 2019 and ending June 30, 2020, in accordance with the chart of accounts heretofore established for this County:

General Construction	-
Architect/Engineering/Consulting Fees	1,950,626
Permits, Insurance, Surveys, Other	-
Total Appropriations	<u>1,950,626</u>

SECTION 10:

It is estimated that the following revenues will be available in the High School Renovation Project Fund for the fiscal year beginning July 1, 2019 and ending June 30, 2020:

Transfer from General Fund	3,600
Proceeds from Lottery Fund	1,947,026
Total Estimated Revenues	<u>1,950,626</u>

SECTION 11:

The following amounts are hereby appropriated in the Pool Project Fund for the construction of a new Swimming Pool during the fiscal year beginning July 1, 2019 and ending June 30, 2018, in accordance with the chart of accounts heretofore established for this County:

General Construction	2,564,029
Architect/Engineering/Consulting Fees	200,113
Permits, Insurance, Surveys, Other	36,093
Furniture	13,000
Site Prep	524,765
Total Appropriations	<u>3,338,000</u>

SECTION 12:

It is estimated that the following revenues will be available in the Pool Project Fund for the fiscal year beginning July 1, 2019 and ending June 30, 2020:

Grant Proceeds	187,000
Fund Balance Appropriation	3,151,000
Total Estimated Revenues	<u>3,338,000</u>

SECTION 13:

There is hereby levied a tax at the rate of forty-eight cents (\$0.48) per hundred dollars (\$100) valuation of property listed as of January 1, 2019 for the purpose of raising revenue included in "Ad Valorem Taxes" in the General Fund in Section 2 of this ordinance.

This rate of tax is based on an estimated total valuation of property for the purpose of taxation of \$4,036,156,858 and an estimated collection rate of 96%.

SECTION 14:

There is hereby levied a tax at the rate of seven cents (\$0.07) per hundred dollars (\$100) valuation of property listed as of January 1, 2019 for the purpose of raising revenue included in "Fire Tax Levy Revenue" in the Fire Districts Fund in Section 6 of this ordinance.

This rate of tax is based on an estimated total valuation of property for the purpose of taxation of \$4,036,156,858 and an estimated collection rate of 96%.

SECTION 15:

The Budget Officer is hereby authorized to transfer appropriations as contained herein in accordance with the Avery County Board of Commissioners Policy Manual.

SECTION 16:

Copies of this Budget Ordinance shall be furnished to the Clerk to the Board of Commissioners and to the Budget Officer and Finance Officer to be kept on file by them for their direction in the disbursement of funds.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to adopt the 2019/2020 Fiscal Year Budget.

Tim Phillips stated that he thought that the Board had dropped the ball with the funding for WAMY. We need to look at this again. They requested \$5,000. Mr. Young said the "A" in WAMY does stand for Avery and we should be funding them.

Wood Hall Young, Jr. amended his motion to include funding \$5,000 for WAMY. Tim Phillips seconded the motion.

Dennis Aldridge stated that there are some items that we need to re-examine in the next year's budget proceedings in terms of how we go forward. There are some special appropriations and agencies that do tremendous work that is outside of the realm of county government but is still beneficial for the life of Avery County.

Motion unanimous with those in attendance (4-0).

County Manager Updates—Continued

Employment Assistance Program

Mr. Barrier explained the employment assistance program. We need to take care of our employees in any type of behavioral health that our employees may be having. The first agreement included in the packet is the higher stress departments such as EMS; Sheriff; Communications; this would provide six sessions per issue per employee and

would provide critical incident debriefing as a group. The other agreement would cover the other 129 employees; this would provide three sessions per issue per employee. All of the employees would have an employment assistance program. We need the Board to approve the agreements and allow management to sign these agreements.

Michaëlle Poore, County Attorney, stated that there was something that needed to be included in both agreements under paragraph 2d which states that any information regarding a county employee that is provided will only be provided subject to the requirements of the public records law.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to approve the Employee Assistance Program Professional Services Agreements with the addition under Paragraph 2d of the agreements that any information regarding a county employee that is provided will only be provided subject to the requirements of the public records law and authorize management to sign the agreements. Motion unanimous with those in attendance (4-0).

Finance Officer Report – Tim Greene

Budget Amendment

The Sheriff's Department has received a \$1,800 donation to be used for reducing opioid misuse in Avery County.

Motion by Dennis Aldridge and second by Wood Hall Young, Jr. to adopt a budget amendment in the amount of \$1,800.00 with a debit of \$1,800.00 to Dare/Drug Prevention (105100.5100) and a credit of \$1,800.00 to Donations (103345.0000). Motion unanimous with those in attendance (4-0).

Budget Amendment

The proceeds from the sale of four transportation vans will have to revert to the transportation department.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to adopt a budget amendment in the amount of \$13,022.00 with a debit of \$13,022.00 to Auto Supplies (106300.3100) and a credit of \$13,022.00 to Transportation (103610.0000). Motion unanimous with those in attendance (4-0).

Budget Amendment

The Sheriff's Department has received an insurance reimbursement for a 2015 Ford Sedan claim.

Motion by Wood Hall Young, Jr. and second by Dennis Aldridge to adopt a budget amendment in the amount of \$9,225.00 with a debit of \$9,225.00 to Capital Outlay-Auto (105100.7400) and a credit of \$9,225.00 to Insurance Reimbursements (103340.0000). Motion unanimous with those in attendance (4-0).

Budget Amendment

The Avery County Motor Club donated \$49.00 to be used for the benefit of Veterans.

Motion by Tim Phillips and second by Wood Hall Young, Jr. to adopt a budget amendment in the amount of \$49.00 with a debit of \$49.00 to Supplies (106070.3300) and a credit of \$49.00 to Donations (103345.0000). Motion unanimous with those in attendance (4-0).

Budget Amendment

The funds originally allocated to Transfer to Capital Reserve needs to be moved to Transfer to Project Fund-School in the amount of \$926,900.00.

Motion by Wood Hall Young, Jr. and second by Dennis Aldridge to adopt a budget amendment in the amount of \$926,900.00 with a debit of \$926,900.00 to Transfer to Project Fund-School (107000.6240) and a credit of \$926,900.00 to Transfer to Capital Reserve (107000.6246). Motion unanimous with those in attendance (4-0).

Amendment of Avery County High School Additions and Renovation Project Ordinance

Request the Board of Commissioners amend the Avery County High School Additions and Renovation Project Ordinance and the current year budget.

Motion by Tim Phillips and second by Wood Hall Young, Jr. to amend the Avery County High School Additions and Renovation Project Ordinance in the amount of \$19,315,866.00 with a debit of \$18,185,279.00 to General Construction (456600.4004); credit of \$970,453.00 to Architect/Engineering Fee (456600.4005); debit of \$305,098.00 to Permits, Insurance, Surveys (456600.4006); debit of \$775,489.00 to Furniture (456600.4007); debit of \$50,000.00 to (456600.4010); credit of \$7,345,413.00 to Transfer from General Fund (453101.0000); credit of \$11,000,000 to Proceeds from Lottery Funds (413104.0000); debit of \$6,418,513.00 to Transfer to Project Fund-School (107000.6240); credit of \$6,418,513.00 to Fund Balance-Appropriated (103990.0000). Motion unanimous with those in attendance (4-0).

Avery County High School Additions and Renovation Project Ordinance

The Board needs to approve the amended Avery County High School Additions and Renovation Project Ordinance that moves the amount from \$1,956,026 to \$20,296,039.00 which includes \$50,000 for legal fees.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to approve the amended Avery County High School Additions and Renovation Project Ordinance. Motion unanimous with those in attendance (4-0).

Avery County Agricultural Building Community Room Capital Project Ordinance

Request the Board of Commissioners approve the Ag. Building Community Room Capital Project Ordinance and the current year budget.

Motion by Wood Hall Young, Jr. and second by Dennis Aldridge to adopt the budget amendment regarding the Agricultural Building Community Room Capital Project Ordinance and the current year budget of \$1,200,000.00 with a debit of \$1,075,000.00 to General Construction (526600.4004); debit of \$60,000.00 to Architect/Engineering Fee (526600.4005); debit of \$30,000.00 to Permits, Insurance, Surveys (526600.4006); debit of \$35,000.00 to Furniture (526600.4007); credit of \$1,200,000.00 to Transfer from General Fund (523101.0000); debit of \$1,200,000.00 to Transfer to Ag. Building Community Room (107000.6251); credit of \$1,200,000.00 to Fund Balance—Appropriated (103990.0000). Motion unanimous with those in attendance (4-0).

Motion by Wood Hall Young, Jr. and second by Dennis Aldridge to adopt the Agricultural Building Community Room Capital Project Ordinance. Motion unanimous with those in attendance (4-0).

Wood Hall Young, Jr. stated that Little League takes care of a lot of children in Avery County in the summer time. We budgeted \$2500.00 for Little League and that is what has been budgeted for the last several years. They have torn down the old concession building and had a new metal building put up. According to the lease agreement if we break the lease the building will stay. They owe \$4,000.00 on their building. The payments are \$400.00 a month. I would like to do a budget amendment out of this year's budget for \$5,000.00 which will pay their building off and allow them to get their electrical, water and sewer hooked up.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to appropriate \$5,000.00 for Little League to pay off the building and allow for electrical, water and sewer hookup. Motion unanimous with those in attendance (4-0).

County Attorney Report – Michaele Poore

Michaele Poore, County Attorney, stated that the first thing that she had for the Board to take care of was a Resolution Authorizing the Filing of an Application for Approval of a Financing Agreement Authorized by North Carolina General Statute 160A-20. Before we authorize that though, the Board will need to decide which lender they want to go with. Ms. Poore stated that once the County is ready to proceed with financing it has to be approved with the Local Government Commission and they meet once a month. In July they are meeting the second Tuesday. The LGC requires the supporting documentation and the application be to them a month before the meeting so to be on the July meeting agenda, the application has to be in this week. The LGC does allow supplemental information to be sent over the course of the month. This resolution is required to authorize the filing of an application with the LGC.

Dennis Aldridge, County Commissioner, questioned if the lender approval is part of the initial filing. Ms. Poore stated that the purpose of the public hearing was to authorize

entering into the loan with whichever lender the county chooses to go with. The actual financing documents would have to be approved as well at the next meeting.

Motion by Dennis Aldridge and second by Tim Phillips to adopt the Resolution Authorizing the Filing of an Application for Approval of a Financing Agreement. Motion unanimously approved with those in attendance (4-0).

Ms. Poore stated that the next question is which lender the Board authorizes the Finance Officer to apply with.

Tim Phillips, County Commissioner, stated that he felt like the Board would need to go with Sterling Bank because of the information that has been presented today.

Motion by Tim Phillips and second by Wood Hall Young, Jr. to approve Sterling National Bank as the lender for the Addition and Renovation of the Avery County High School. Motion unanimously approved with those in attendance (4-0).

Ms. Poore stated that the next set of documents includes a Memorandum of Understanding regarding the high school addition and renovation. Given the fact that the Board of Education would like to begin work on the high school as soon as the students are off the property this is an MOU between the Board of Education and contractor to allow the contractor on site before the financing is complete. This MOU would take the contractor through August 1st. The amount the contractor would need is \$1,571,000. This money would be allotted from the county to the Board of Education for this MOU. The Resolution that I have for the board to consider is authorizing the funding request by the Board of Education pursuant to that MOU between the Board of Education and Branch Builds.

WHEREAS, the County of Avery, North Carolina, desires to modernize Avery County High School by constructing a new school building and renovating a portion of the existing Avery County High School building (the "Project") to better serve the citizens of Avery County, North Carolina; and

WHEREAS, The Avery County Board of Education desires to modernize Avery County High School and has solicited bids for such renovation and construction; and

WHEREAS, the Avery County Board of Education desires to begin construction in June 2019 and has requested funds in the amount of \$1,571,000.00 to begin pre-construction activities subject to special funding conditions; and

WHEREAS, the Avery County Board of Commissioners is agreeable to providing such capital funds to the Avery County Board of Education;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Avery County, North Carolina, meeting in regular session on the 3rd day of June 2019, make the following findings of fact:

1. That the time frame for renovations and construction on the High School are best suited to begin in the Summer of 2019, after the students are not occupying the building;
2. That financing of the building is proposed to be considered by the Local Government Commission at their July 2019 meeting;
3. That the amount of \$1,571,000.00 is not part of the amount financed;
4. That the County does not want to authorize the release of all funds for the proposed construction due to the fact that the financing of the project is not complete;

NOW, THEREFORE, BE IT RESOLVED that the capital funding request of the Avery County Board of Education in the amount of \$1,571,000.00 for pre-construction activities for Avery County High School is authorized on condition that any Memorandum of Understanding between the Board of Education and/or any contractor and/or Boomerang Design include a cap of any amounts due not to exceed the amount of the \$1,571,000.00, and no further amounts are authorized until financing is approved by the Local Government Commission and execution of all contracts and memoranda.

Motion by Tim Phillips and second by Wood Hall Young, Jr. to Adopt the Resolution Authorizing the Funding Request By the Board of Education Pursuant to that MOU Between the Avery Board of Education and Branch Builds. Motion unanimous with those in attendance (4-0).

Ms. Poore stated that the last thing that she had that was included in the packet was a Memorandum of Understanding with Boomerang and the County and this is for the Community Room addition and this shows that the lump sum architectural fee that will be due to Boomerang for the additional work of the community room would be \$34,170.00. There will be engineering fees that will be due also.

WHEREAS, the County previously solicited bids for design services for the Avery Agricultural Building, pursuant to NCGS 143-64.31 which requires the initial solicitation and evaluation of firms to perform architectural, engineering, surveying, construction management-at risk services, and design build services (collectively "design services"), the same to be based on qualifications and without regard to fee; and

WHEREAS, the County selected Boomerang Design to provide architectural services on the Avery Agricultural Building project, and Boomerang provided the same, including plans for a community room; and

WHEREAS, the County did not initiate construction of the community room at the time the main Agricultural building was constructed in 2018, but now desires to initiate construction of the community room and further desires to use the plans previously submitted by Boomerang design; and

WHEREAS, the estimated fee for the architectural services for the community room is less than \$50,000.00;

NOW, THEREFORE, the Avery County Board of Commissioners authorizes that Memorandum attached hereto with Boomerang design for the Community Room project for the Avery Agricultural Building project and the payment of services for the same.

**Motion by Wood Hall Young, Jr. and second by Dennis Aldridge to Adopt the Resolution Regarding the Agriculture Building Addition.
Motion unanimous with those in attendance (4-0).**

Approval of Minutes

Motion by Wood Hall Young, Jr. and second by Dennis Aldridge to approve the May 6, 2019 Regular Minutes. Motion unanimous with those in attendance (4-0).

Agenda Consent Items

Adopted by Consensus of the Board.

Upcoming Meetings

Regular Meeting June 17, 2019 at 3:30 p.m. Regular Meeting July 1, 2019 at 3:30 p.m.

Adjourn

Motion by Wood Hall Young, Jr. and second by Dennis Aldridge to adjourn this meeting at 5:47 p.m. Motion unanimous with those in attendance (4-0)

**Martha Hicks, Chair
Avery County Board of Commissioners**

Attest: _____
Cindy Turbyfill, Clerk