

**STATE OF NORTH CAROLINA
COUNTY OF AVERY**

The Avery County Board of Commissioners met in Regular Session on Monday, November 4, 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; Blake Vance, Vice-Chair; Dennis Aldridge; Tim Phillips; Wood Hall Young, Jr.

Members Absent: None

Call To Order

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

Blake Vance led prayer.

Students from the 7th and 8th grade class from Avery Middle School led the Pledge of Allegiance.

Proclamations and Awards

Celebrate County Government

The Avery County Economic Development Committee was recognized for their service to the citizens of Avery County.

Public Comment

Sheriff Kevin Frye recognized Tim Austin for receiving his certification in criminal investigations.

Board Appointments

Avery Airport Authority

There are two positions on the Avery Airport Authority that terms expire on November 30, 2019. There are four applications for these positions: Sam Calvert; Thomas Hill; Doug Jennings; Sam Ray.

A ballot was handed out to the Commissioners. Each Commissioner ranked the applicants from 1 to 4 with 1 being the top choice. The ballots were signed and dated. The ballots will be available for public inspection and included in the minutes.

Sam Calvert received 7 votes (3 first place; 2 second place)

Thomas Hill received 20 votes (5 fourth place)

Doug Jennings received 11 votes (1 first place; 2 second place; 2 third place)

Sam Ray received 12 votes (1 first place; 1 second place; 3 third place)

Martha Hicks voted as follows: Sam Calvert 1; Doug Jennings 2; Sam Ray 3; Thomas Hill 4

Blake Vance voted as follows: Sam Calvert 1; Sam Ray 2; Doug Jennings 3; Thomas Hill 4

Dennis Aldridge voted as follows: Sam Calvert 1; Doug Jennings 2; Sam Ray 3; Thomas Hill 4

Tim Phillips voted as follows: Doug Jennings 1; Sam Calvert 2; Sam Ray 3; Thomas Hill 4

Wood Hall Young, Jr. voted as follows: Sam Ray 1; Sam Calvert 2; Doug Jennings 3; Thomas Hill 4

Motion by Tim Phillips and second by Dennis Aldridge to appoint Sam Calvert and Doug Jennings to the Avery Airport Authority. Motion unanimously approved (5-0).

Juvenile Crime Prevention Council

Motion by Blake Vance and second by Dennis Aldridge to appoint Randy Fendrau to the Juvenile Crime Prevention Council. Motion unanimously approved (5-0).

Annual Audit Report – Sharon Gillespie

Sharon Gillespie with Young, Miller and Gillespie presented the annual audit for the year ending June 30, 2019. There are three types of audit opinions issued, an unmodified opinion, modified opinion and an adverse opinion. An unmodified means that you have a clean opinion. I wanted to point out that we have four opinion letters in the audit. The first one is just the opinion on the overall finances. Another opinion in the back is a report on government audit standards that says you are following governmental regulations. Another report in the back says you are following all the regulations for the Federal dollars that are coming in and then there is another report that says you are following regulations for the State dollars. In all material respects, your financial position is as you have been told throughout the year. I will say that this is one of the few audit places that we don't have to do journal entries to your records so they are pretty much what you are getting through the year as far as reports. You can feel good about your financial reports. There were no budget violations in this audit.

Ms. Gillespie directed the Commissioners to the audit booklet and reviewed several pages in the audit book. Ms. Gillespie went over some financial highlights:

- The assets of Avery County exceeded its liabilities at the close of the fiscal year by \$42,740,804.
- The government's total net position increased for the current year by a net of \$6,946,241 primarily due to capital improvements to County properties.
- As of the close of the current fiscal year, Avery County's governmental funds reported combined ending fund balances of \$23,864,192 an increase of \$2,199,230 in comparison with the prior year. Approximately 41 percent of this total amount, or \$9,782,526 is available for spending at the government's discretion.
- At the end of the current fiscal year, unassigned fund balance for the General fund was \$9,782,526 or 26 percent of total general fund expenditures and transfers to other funds for the fiscal year.

- Avery County's total long-term debt decreased by \$443,443 during the current fiscal year due to repayment of debt proceeds.

Out of your pot of money and all of your resources you have \$9.7 million dollars to work with. Local government commission wants you to keep four to five months operating cash in the checking account. This worked out to be just a little over four months. You don't want your cash to get lower than that.

This year Avery County collected 98.18% of taxes that were due. Last year that percentage was 98.08%. Statewide for small counties is 97.13% so your collection rate is above the normal for other small counties. This governs your cash and is very important. Statewide average of fund balances for small counties is 32.34% and your fund balance was 41% so you are ahead of the game as far as other counties in North Carolina. We had no audit findings. Your audit is good.

Wood Hall Young, Jr. stated "just for the record, no findings?" Ms. Gillespie said "no findings on this audit."

Blake Vance said "this does include the fire commission with no findings?" Ms. Gillespie said "that is correct, no findings with the fire commission included." Ms. Gillespie said we go through the fire commission records and then go through the counties' records and then we pull them both together in this audit.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to approve the annual audit for the year ending June 30, 2019. Motion unanimously approved (5-0).

Reserve Officer Pay – Sheriff Kevin Frye

Sheriff Kevin Frye stated that he wanted permission to have a window for reserve officer pay from \$10 to \$20-25 dollars an hour so I can utilize them for reserves. It had not been an issue before but now it is because we are short with employees and a couple of officers have been out for various reasons I need to make myself competitive because some of the officers work at the hospital as security and they pay \$30 an hour. This is a block of money that is in the salary line item that we don't need to put a set salary on but have a window. I will utilize that to pay the least that I can to get the most that I can.

Blake Vance questioned if there was already money in this line item? Sheriff Frye stated yes there was. I just want some discretion in paying out salaries. Dennis Aldridge asked if there was a scale that exists that you are working on now. Sheriff Frye said no we are just paying \$10 an hour straight. That is not getting it; it is hard to get anyone to come over for \$10 an hour. Tim Greene said that we budgeted for \$10 dollars an hour so whatever we go to we will have to do a budget amendment.

Blake Vance questioned how much was in the line item now. Tim Greene answered \$103,000. Sheriff Frye said it is a pot of money that he puts in the total salary line item. Blake Vance said rather than look at it as a blanket can we put an amount in there and

let the Sheriff have discretion over how he spends that amount within those parameters. Tim Greene said it is predicated upon an amount. Tim Phillips said “so anything over \$10 an hour is a budget amendment”. Tim Greene said “correct”. Dennis Aldridge said if he is looking to do this on a scale basis it would be hard to determine what that amount would be. Mr. Greene said yes it would if it was on a scale. Sheriff Frye said “I am not a finance officer and I don’t really think we need a budget amendment unless I go over that money that is already in there.” Chair Hicks asked why this was not discussed in the budget process. Sheriff Frye said at the time of the budget talks we had officers to cover. Dennis Aldridge stated that he was hesitant to do a budget amendment to change to a situation that is variable that is dependent on staffing, dependent on circumstances, etc. I would be more comfortable with giving the latitude to change the rate and leave the budgeted amounts the same. It could be that it never reaches that point. Blake Vance questioned if we move in this direction will it allow us to utilize overtime less. Sheriff Frye stated yes.

Motion by Dennis Aldridge and second by Blake Vance to pay \$10-\$20 dollars per hour for Avery County Sheriff’s Office Reserve Officers utilizing the budgeted amount that is in the budget or up to that amount and if that is exceeded to do a budget amendment. Motion unanimously approved (5-0).

WAMY Presentation – Abigail Swanger

Abigail Swanger, Family and Community Coordinator for WAMY, presented a power point presentation about the After School program. We are in every school in the county. Our total students are 247 right now. We also have a contract with Mountain Alliance through Avery High School to help support some of their programming. With the help of the High Country Charitable Foundation and Avery County we were able to purchase a brand new 12 passenger van. We are now going to have transportation from Cranberry Middle School/Freedom Trail, Avery Middle School, and Crossnore. We already had two 15 passenger vans but there was a high need at Avery Middle School for students to come to After School but what was hindering them was transportation and their only way to get home was take a school bus home. We worked the past year to raise the money. We received a 21st Century Community Learning grant which is a federal grant handed down to North Carolina. It cost \$400,000 to offer our program for one school year. The highest of the cost is administration. We have 25 staff full time and a couple of substitutes. We provide all the children food.

Ms. Swanger asked for the Board to adopt a Resolution proclaiming November 8th as “Lights on Afterschool”.

WHEREAS, the citizens of Avery County stand firmly committed to quality afterschool programs and opportunities because they:

- Provide safe, challenging, and engaging learning experiences that help children develop social, emotional, physical and academic skills.
- Support working families by ensuring their children are safe and productive after the regular school day ends.

- Build stronger communities by involving students, parents, business leaders and adult volunteers in the lives of young people, thereby promoting positive relationships among youth, families and adults.
- Engage families, schools and community partners in advancing the welfare of our children.

WHEREAS, WAMY Community Action, Inc. and The Williams YMCA of Avery County have provided significant leadership in the area of community involvement in the education and well-being of our youth, grounded in the principle that quality afterschool programs are key to helping our children become successful adults.

WHEREAS, *Lights On Afterschool*, the national celebration of afterschool programs held this year on November 8, promotes the importance of quality afterschool programs in the lives of children, families and communities.

WHEREAS, more than 28 million children in the U.S. have parents who work outside the home, and 19.4 million children have no place to go after school.

WHEREAS, many afterschool programs across the country are facing funding shortfalls so severe that they are being forced to close their doors and turn off their lights.

WHEREAS, the County of Avery is committed to investing in the health and safety of all young people by providing expanded learning opportunities that will help close the achievement gap and prepare young people to compete in the global economy.

THEREFORE BE IT RESOLVED that I, County Manager Phillip Barrier do hereby proclaim November 8, as "*Lights On Afterschool Day*"; AND BE IT FURTHER RESOLVED that this County Manager enthusiastically endorses *Lights On Afterschool* and commits our County to engage in innovative afterschool programs and activities that ensure the lights stay on and the doors stay open for all children after school.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to adopt the "Lights on Afterschool" Resolution. Motion unanimously approved (5-0).

Public Hearing Regarding Changes to Criminal Record Check Ordinance

Motion by Wood Hall Young, Jr. and second by Blake Vance to go into a Public Hearing Regarding Changes to Criminal Record Check Ordinance at 4:31 p.m. Motion unanimously approved (5-0).

Michaëlle Poore, County Attorney, explained that the county has an ordinance for criminal record checks for perspective employees. The ordinance states that the checks would be performed by the Sheriff's Office. The change in the ordinance is to indicate that those criminal record checks could be performed either by the Sheriff's Office or any other entity designated by the County Manager's Office.

There were no questions from the Board.

There were no public comments.

Motion by Blake Vance and second by Wood Hall Young, Jr. to go out of the Public Hearing Regarding Changes to the Criminal Record Check Ordinance at 4:32 p.m. Motion unanimously approved (5-0).

Motion by Blake Vance and second by Tim Phillips to adopt the changes to the Criminal Record Check Ordinance. Motion unanimously approved (5-0).

Tax Administrator Report – Bruce Daniels

Tax Collections Report

The Tax Collections Report for the month of October 2019 was \$1,689,829.19.

Motion by Blake Vance and second by Wood Hall Young, Jr. to approve the Tax Collections Report for the month of October 2019 as presented. Motion unanimously approved (5-0).

Sales Statistics

There were 84 sales for October 2019 at 89%. Last year there were 59 sales at 92%.

County Manager Updates – Phillip Barrier, Jr.

Broadband

Lightleap has added 55 new homes to their service since July. That total is 350 homes in Avery County. They are currently upgrading more in Jonas Ridge and Yellow Mountain. They are doing some negotiations currently in Linville Falls.

CDBG Grant

We are working on title searches. We have sent the letters out to the list of people to get a lead base paint assessment. We are running an ad for the “overseer” of the project.

Courthouse Roof Project

Joe Pavelchak, Architect, sent a new scope of work so that has been advertised for bids. Qualified contractors have until the 13th of November to bid.

Surplus Property Bid

We are asking for approval of the bid on the surplus property on Beech Mountain. The current tax value is \$2500.00. The bid is \$2699.99. I have an email enclosed that shows that the party is aware that they will be responsible for the back taxes of \$611.83. The only thing that can hold this up is it is in the city limits of Beech Mountain and they will have to make up any tax loss that they have there. I am asking for your approval to accept this bid.

Motion by Blake Vance and second by Wood Hall Young, Jr. to approve the bid on the surplus property bearing tax parcel # 1941-17-10-7821 in the amount of \$2699.99 along with the back taxes of \$611.83. Motion unanimously approved (5-0).

Finance Officer Report – Tim Greene

Budget Amendment

The Sheriff's Department has received an insurance total loss settlement for the 2016 Ford Explorer in the amount of \$16,386.83.

Motion by Tim Phillips and second by Dennis Aldridge to adopt a Budget Amendment in the amount of \$16,386.83 for insurance reimbursement with a debit of \$16,386.83 to Capital Outlay-Auto (105100.7410) and a credit of \$16,386.83 to Insurance Reimbursements (103340.0000). Motion unanimously approved (5-0).

Budget Amendment

The Sheriff's Department has received an insurance total loss settlement for the 2013 Ford Explorer.

Motion by Dennis Aldridge and second by Wood Hall Young, Jr. to adopt a Budget Amendment in the amount of \$11,156.33 for insurance reimbursement with a debit of \$11,156.33 to Capital Outlay-Auto and a credit of \$11,156.33 to Insurance Reimbursements (103340.0000). Motion unanimously approved (5-0).

Budget Amendment

The Solid Waste Department will require additional funds in order to construct/upgrade the Sugar Mountain Collection site.

Motion by Tim Phillips and second by Blake Vance to adopt a Budget Amendment in the amount of \$55,300.00 to construct/upgrade the Sugar Mountain Collection site with a debit of \$55,300.00 to Repairs/Maintenance (105800.1510) and a credit of \$55,300.00 to Fund Balance—Appropriated (103990.0000). Motion unanimously approved (5-0).

Budget Amendment

The Emergency Management Department requests a payout of 100 hours of compensatory time.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to adopt a Budget Amendment in the amount of \$3,044.00 for payout of compensatory time with a debit of \$2,541.00 to Salary-Director (1052050.0200); \$195.00 to FICA-Administration (105250.0500); \$231.00 to Retirement (105250.0600); \$77.00 to 401K Retirement (105250.0800) and a credit of \$3,044.00 to Fund Balance-Appropriated (103990.0000). Motion unanimously approved (5-0).

Budget Amendment

The Emergency Management department has received a NC Department of Public Safety Governor's Homeland Security Grant. It will be used to purchase a shower trailer.

Motion by Blake Vance and second by Wood Hall Young, Jr. to adopt a Budget Amendment in the amount of \$28,000.00 for a NC Dept. of Public Safety Governor's Homeland Security Grant with a debit of \$28,000.00 to Capital Outlay (105250.7400) and a credit of \$28,000.00 to State Homeland Security Grant (103799.0000). Motion unanimously approved (5-0).

Tim Greene commented on the audit. We were hoping to wind up at 20% for fund balance when we were talking about moving money for the high school. We wound up at 26% and funded a little over 7 million for the high school, 1.2 million for the Ag. Building and 2 million for the pool. We had been planning this for a number of years and had been building up the money for these projects.

County Attorney Report – Michaele Poore

Nothing to report at this time.

Closed Session

Motion by Tim Phillips and second by Blake Vance to go into a time of Closed Session at 5:01 p.m. regarding Attorney/Client Privilege G.S. 143-318.11 (a)(3). Invitees are the County Manager, County Attorney and Clerk.

Chair Hicks declared the meeting to be back in session at 5:30 p.m. During Closed Session, no vote was taken.

Approval of Minutes

Motion by Wood Hall Young, Jr. and second by Blake Vance to approve the September 16, 2019 Regular Session minutes and October 7, 2019 Regular Session minutes. Motion unanimously approved (5-0).

Agenda Consent Items

Adopted by Consensus of the Board.

Upcoming Meetings

The next Regular Meeting is December 2, 2019 at 3:30 p.m. The Employee Christmas Luncheon is December 11, 2019 at 12:00 p.m.

Adjourn

Motion by Dennis Aldridge and second by Blake Vance to adjourn this meeting at 5:33 p.m. Motion unanimously approved (5-0).

Martha Hicks, Chair
Avery County Board of Commissioners

ATTEST: _____
Cindy Turbyfill, Clerk