

**STATE OF NORTH CAROLINA
COUNTY OF AVERY**

The Avery County Board of Commissioners met in Regular Session on Monday, October 2, 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; Faith Lacey; Tim Phillips; Wood Hall Young, Jr. Blake Vance entered the meeting at 4:30 p.m.

Members Absent: None

Call To Order

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

Phillip Barrier led prayer.

Kevin Holden led the Pledge of Allegiance.

Celebrate Avery County Government

Tommy Burluson and Shelia Thomas were recognized for 23 years of service to Avery County.

Public Comment

Kevin Holden with the VFW invited everyone to observe the replica of the Vietnam wall that will be at the Mountain Heritage High School in Burnsville on Wednesday, October 11, 2017. This monument is open 24 hours a day for the public to visit.

Taunia Erno, Linville resident, gave an update on the noise complaint at Linville. Ms. Erno stated that she was advocating for a noise ordinance. There is a lot of division in the community from this situation. The parking has gotten some better because of a decrease in the volume of people. There is a division in the churches. There are people for and people against this issue. We have gotten petitions up. I am trying to be as sympathetic as I can to the business but we are asking them to work with us also. At this point I have decided that I am going to educate myself about what my rights are. We are asking for the county commissioners to work with us on this issue.

Board Appointments

JCPC Board

Debbie Gragg, Director of the Avery County Health Department, has applied for a position on the JCPC board. This application has been reviewed and is ready for approval.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to appoint Debbie Gragg to the JCPC board. Motion unanimously approved with those in attendance (4-0).

Jury Commission

Linda Taylor has expressed her desire to serve on the Jury Commission. This application has been reviewed and is ready for approval.

Motion by Faith Lacey and second by Wood Hall Young, Jr. to appoint Linda Taylor to the Jury Commission. Motion unanimous with those in attendance (4-0).

Lease Agreement---Yellow Mountain Enterprises

David Tate, Executive Director of Yellow Mountain Enterprises, has requested an extension for the lease of the Avery Cares Building. This is for a three month extension. Mr. Barrier pointed out that in the new lease that in the event that Yellow Mountain is ready to vacate the property the lease would terminate. We will approve the lease in three month intervals until they are ready to move.

Motion by Faith Lacey and second by Tim Phillips to approve the lease agreement between Avery County and Yellow Mountain Enterprises for the “Avery Cares Building” for three months. Motion unanimously approved with those in attendance (4-0).

Mayland Community College 2017/2018 Budget

Dr. John Boyd, President of Mayland Community College, explained that annually the budget for Mayland Community College must be brought to the commissioners for their approval. The budget started July 1, 2017 but the state must pass the budget first and then the Mayland Community College Board of Trustees must pass the budget that is the reason that it is just now getting to the Board of Commissioners. The breakdown shows the commitment of Avery County to Mayland Community College which is \$351,000 and includes both operating and capital.

Chair Hicks commented that she attended her first Mayland Board of Trustees meeting last week and she was pleased with all the new projects that they were involved in.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to approve the 2017/2018 budget for Mayland Community College and authorize the chair to sign. Motion unanimous with those in attendance (4-0).

Chair Hicks called for a 3 minute recess until 4:00 p.m. when a public hearing will be held.

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

Public Hearing—CDBG Commerce Fellows Grant Closeout

Motion by Tim Phillips and second by Faith Lacey to go into a time of Public Hearing regarding the CDBG Commerce Fellows Grant Closeout at 4:00 p.m. Motion unanimous with those in attendance (4-0).

Michelle Ball with the High Country Council of Government explained that the public hearing was held to hear public comment regarding the closeout of the CDBG Commerce Fellows Grant. This grant was \$50,000 to provide training with the UNC School of Government. Eight seats were funded in five different trainings.

There were no public comments. No commissioner had a comment.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to go out of the public hearing regarding the closeout of the CDBG Commerce Fellows Grant at 4:05 p.m. Motion unanimous with those in attendance (4-0).

Motion by Tim Phillips and second by Faith Lacey to close out the CDBG Fellows Grant. Motion unanimous with those in attendance (4-0).

Tax Administrator Report – Bruce Daniels

Tax Collection Report

The Total Tax Collection for the month of September 2017 is \$1,442,524.30.

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

Regular Releases

The Regular Releases for the month of September 2017 is \$447.49.

Motion by Tim Phillips and second by Faith Lacey to approve the Regular Releases for the month of September 2017. Motion unanimous with those in attendance (4-0).

Bruce Daniels, Tax Administrator, reported there were 74 sales in September 2017 as compared to 84 sales last year. The majority of the sales for this year were over the tax valuation.

County Manager Updates

Playground Update

The playground is still under construction. We are currently getting estimates on the fencing.

Economic Development Committee Update

This is a very energetic board. They are working on a logo and branding.

Surplus Property

Mr. Barrier explained that there is a resolution declaring certain properties owned by the county as surplus. The properties are listed in the resolution. This resolution grants permission to accept sealed bids until 3:00 p.m. on the date selected. There are certain

time periods to get the notice to the newspaper. If the board wishes to approve the resolution, the county manager will determine the dates.

Michaëlle Poore, County Attorney, stated that for the Board's reference the way this works is that the Board approves the resolution and the notice. The notice allows the county to take bids on the property. These notices are what will be published in the newspaper.

Wood Hall Young, Jr. questioned when the properties are bought by an individual does that individual receive a general warranty deed. Ms. Poore stated that it would be a special warranty deed to give whatever title the county owns. The properties are sold as is. The county does reserve the right to not accept a bid.

Motion by Wood Hall Young, Jr and second by Tim Phillips to approve the Resolution regarding Surplus Property and giving authority to the County Manager to set the dates and for the County Manager to have it published in the form presented. Motion unanimous with those in attendance (4-0).

Recess

Chair Hicks called for a brief recess until 4:30 p.m. when a public hearing is scheduled. Chair Hicks declared the meeting to be back in session after a brief recess.

Blake Vance entered the meeting at 4:30 p.m.

Public Hearing – FY19 Community Transportation Program Application

Motion by Wood Hall Young, Jr. and second by Tim Phillips to go into a time of Public Hearing regarding FY 19 Community Transportation Program application at 4:30 p.m. Motion unanimous with those in attendance (4-0).

Debbie Smith, Avery County Transportation Director, explained that the Community Transportation Program provides assistance to coordinate existing transportation programs operating in Avery County as well as provides transportation options and services for the communities within the service area. The total estimated amount requested for the period of July 1, 2018 through June 30, 2019 is:

Administrative	\$207,764	\$31,165 (local share 15%)
Capital (Vehicles & Other)	\$474,727	\$47,473 (Local share 10%)
Total Project	\$682,491	\$78,638 (local share)

Debbie Smith commented that there was a resolution that the Board would need to approve once the Board was out of public hearing.

Ms. Smith also stated that Avery Transportation was due for 9 new vans in 2019. The grant also would include lettering and logos on the vans. Also included in the grant is office furniture and repair to the parking lot and some resurfacing.

Ms. Smith offered all in attendance the Voluntary Title VI Public Involvement Form.

There were no public comments or comments from the commissioners.

Motion by Blake Vance and second by Wood Hall Young, Jr. to close out the Public Hearing for FY19 Community Transportation Program application at 4:44 p.m. Motion unanimously approved (5-0).

Motion by Wood Hall Young, Jr. and second by Faith Lacey to allow Avery Transportation to apply for the FY19 Community Transportation Program grant. Motion unanimously approved (5-0).

Mr. Barrier stated that Avery County Transportation has some part-time driver positions open and if anyone knew anybody that wanted a part-time position to put in an application. We have advertised and had applications but then they didn't show up.

Blake Vance apologized for being late. He had a work conflict.

Agricultural Building Update; Proposal for Swimming Pool Project—Boomerang Designs – Robert Johnson

Mr. Johnson stated that final approval of the plans for the Agricultural Building was given by Tommy Burlison on September 11th. We have been working with Mr. Barrier on the front end with insurance criteria, and such. The bid date is October 31, 2017 and that gives us a week to come to your next meeting on November 6, 2017. During that week, we will analyze the bids, check the license number and make sure references check out. We will make a recommendation on the contract award at the November 6, 2017 meeting. We are looking at advertising in the Asheville Times; Avery Journal; Avery Post; Watauga Democrat, etc. We will have the public bid opening in this room on October 31, 2017. Wood Hall Young, Jr. stated that he would like to see advertising in Johnson City newspapers also.

Mr. Johnson stated that we would look at a masterplan for the property where the pool would be located across from the Newland Elementary School so that when and if a future community recreation building comes along that the lobbies interrelate. We would look at materials that are very low maintenance. The building budget we are projecting is a 1.6 million; the \$500,000 came from the pool consultant and that is for the pool, equipment, and construction; the amenities can be bid as alternates. The preliminary plans that you already had was in the 4300 square foot range, we rounded that up to 4500 and obviously we can squeeze this down or enlarge. We are working on a similar project with a school in High Point ; the building is fairly similar. The two site numbers is the parking lot at \$100,000 and the other \$100,000 is storm drainage at the pool. Obviously we don't know what we might get into with water retention. We

applied a 5% contingency factor and then the other non-construction costs which come up to around 2 million. It would take about two months to do design development and schematics. If you approve that then 2 months for the permit set and then the approvals with Planning and Inspections. We are allocating about 6-7 months for building the pool. This would be set up for a single prime general contractor but with the pool subcontractor being the main component, we would prequalify those subcontractors then the pool subs could turn in their numbers to prime bidders bidding on the total project. When you move into the facility, you have twelve months for the warranty period. There was discussion about getting this project underway and the Board was reminded that they did not have a contract yet with Boomerang. Michaelle Poore, County Attorney, stated that the Board would need to decide whether they want to proceed with the soil study and survey and then they can decide if they want a proposal from Boomerang and decide if they want to enter into a contract. It is my understanding that regardless of who the architect is a soil study and survey has to be done.

Consensus by the Board to do the soil study and survey. Mr. Johnson will come back with a proposal at the November meeting.

Finance Officer Report – Nancy Johnson

Budget Amendment

The Avery County Sheriff's Office requests a budget amendment to recognize funds received from the US Marshals Service for asset forfeiture. These funds are for law enforcement use only and are not to be rolled into the general fund.

Motion by Wood Hall Young, Jr. and second by Blake Vance to approve the Budget Amendment recognizing funds received from the US Marshals Service for asset forfeiture with a debit of \$8,029.32 to Drug Fund Expense – Federal (10.5100.5702) and a credit of \$8,029.32 to Drug Fund- Federal (10.3523.0000). Motion unanimously approved (5-0).

County Attorney Report – Michaelle Poore

Nothing further to report.

Approval of Minutes

Motion by Wood Hall Young, Jr. and second by Tim Phillips to approve the July 6, 2017 Special Meeting; July 17, 2017 Regular Meeting; August 7, 2017 Regular Meeting; August 7, 2017 Closed Session. Motion unanimously approved.

Agenda Consent Items

Adopted by Consensus of the Board.

Upcoming Meetings

Special Meeting scheduled for October 12, 2017 at 2:00 p.m. to conduct interviews with salary classification study firms.

Adjourn

Motion by Wood Hall Young, Jr. and second by Faith Lacey to adjourn this meeting at 5:13 p.m. Motion unanimously approved.

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

ATTEST: _____
Cindy Turbyfill, Clerk