

**STATE OF NORTH CAROLINA
COUNTY OF AVERY**

The Avery County Board of Commissioners met in Regular Session on Monday, September 17, 2018 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.

Wood Hall Young, Jr. led prayer.

The Pledge of Allegiance was recited.

Public Comment

There were no public comments.

Chair Hicks announced that a Public Meeting was scheduled for 4:00 p.m. regarding the USDA Loan application. Chair Hicks stated that she was going to continue on with the agenda until the time for the Public Meeting.

County Manager Updates—Phillip Barrier

Phillip Barrier, County Manager, thanked all of the individuals and organizations that were involved in Hurricane Florence preparation.

New Swimming Pool Update

There will be a construction meeting this Thursday at 10:00 a.m. with the architect, contractor and staff. Footings have been poured, sediment pond is installed, and silt fence installed. Pool has been dug. The PVC has been roughed in and installed.

Broadband Grant

Mr. Barrier announced that the Broadband grant that was secured by the Avery Chamber of Commerce had been awarded to NC Wireless. This will serve areas of Linville Falls/Pineola. This was a \$100,000 grant with a \$100,000 match. The match was provided by the wireless provider.

County Attorney Report – Michaelle Poore

Nothing to report at this time.

Approval Of Minutes

Motion by Blake Vance and second by Tim Phillips to approve the June 4, 2018 Special Meeting Minutes; September 4, 2018 Regular Session; September 4, 2018 Closed Session Minutes. Motion unanimously approved (5-0).

Agenda Consent Items
Adopted by Consensus of the Board.

Upcoming Meetings

The next Regular Meeting will be Monday, October 1, 2018 at 3:30 p.m.

Chair Hicks called for a recess until 4:00 p.m. when the Public Meeting for the USDA Loan application will be held.

Chair Hicks declared the meeting to be back in Regular Session after a recess.

Public Meeting regarding the USDA Loan Application for the Addition and Renovation of Avery County High School

Motion by Wood Hall Young, Jr. and second by Tim Phillips to enter into a Public Meeting regarding the USDA Loan Application for the Addition and Renovation of Avery County High School at 4:00 p.m. Motion unanimously approved (5-0).

Phillip Barrier, County Manager, stated that the Public Meeting is being held for public comment regarding the USDA Loan Application for the Addition and Renovation of Avery County High School. We are applying for 19 1/2 million dollars; the total for the first phase of the project. During this meeting we are to give a description of the project and open the floor for questions from the public and commissioners. The current high school was built in 1969. It has safety issues; the science pod is not usable and has other major issues. The proposed scope of work and facility improvements include a new multi-story addition of approximately 58,340 square feet that include a new main entrance, new administration, guidance, and career counseling suites; 20 regular classrooms and four science labs. Also, included are 2 career, technology, and engineering labs; 2 art rooms; new restrooms; new elevator and support spaces. Upon completion of the new addition, two of the seven pods will be demolished. Demolition of these two pods will provide increased area to greatly improve bus parking and access. Last of the three main phases are minor renovations within the central admin areas, the connector areas between the new addition and existing facility as well as site improvements to unify the campus.

Mr. Barrier stated that the proposed completion date if the funding became available would be December 2020.

Chair Hicks questioned if this included renovation of the cafeteria. Mr. Barrier stated that it did not.

Eron Thiele, citizen, questioned what the terms of the loan were. Mr. Barrier stated "we do not know the terms yet, this is just the application."

Wood Hall Young, Jr. expressed concern about the timetable. It looks very tight to me for the scope of work that has to be done.

Dr. Bryan Taylor, Superintendent of Avery County Schools, stated that if the funding is obtained and construction could begin April 2019 then the architects are confident that the work could be completed in the timetable that was set. Dr. Taylor stated that he had the fortune of renovating schools and there is a lot to do and there is a process that you must go through. I have experienced this and it takes planning and forethought. We are very excited and grateful that you are moving forward with this project.

Wood Hall Young, Jr. questioned what the timeframe is regarding the loan application?

Mr. Barrier stated that he had spoken to the representative at USDA at the beginning of the month and they had told him to get the application in as soon as he could. There are 20 parts to this application and we lack three parts. One of those is the public meeting which we are having presently.

Michaëlle Poore, County Attorney, stated to clarify for the Board this is the final financing. There will be an interim construction loan from a private lender that will take place before the USDA loan is closed and finalized. The USDA does not set the terms until they are actually doing the final financing on the project. The USDA does not do construction loans. Wood Hall Young, Jr. questioned where the construction loan would come from? Mr. Barrier stated that Avery County is talking to Wells Fargo which has the lowest rate. Mr. Young asked "so you are planning on getting the construction loan from them and then repaying it with the USDA loan?" Mr. Barrier stated "yes". Mr. Young questioned if we would know about the USDA loan before the construction loan is taken out? Mr. Barrier stated "yes".

Dr. Taylor stated that once they get our application in, they start awarding these loans fairly early. The Federal calendar year starts in October so they start releasing their funding shortly after that. My experience is that once you go through the process you get an answer pretty quickly if you are going to get awarded a loan. Ms. Poore stated that the date to get everything to the USDA is September 30th. They have to have everything to them by that date. Mr. Barrier stated that we are going to meet that goal. Ms. Poore added that one of the things we are waiting on is the USDA wants to know about how much the construction loan is going to cost the county. I am waiting to hear back from Wells Fargo on that.

Dr. Taylor said another positive aspect of this type of loan is that the payment does not come due until the project is finished. When we met with the USDA representatives throughout this process they were very excited. We are very hopeful that we will get awarded this loan.

Wood Hall Young, Jr. questioned how the lottery money will play into this loan. Mr. Barrier stated that we should know by September 30th if we are awarded the lottery grant. We are asking for the 19 ½ million dollar loan but we do not have to borrow that amount. Hopefully the lottery grant comes in and helps out.

Dr. Taylor requested that the Board borrow the 19.5 million dollars and if you don't use it all then send it back but if you do not borrow the full amount and need more down the road you will have to go through this process again. The grant that was submitted was for the full 10 million dollars. I submitted 45 pages for our application. If we were able to secure that 10 million plus the 19.5 million then you could look at that cafeteria, media center if you chose to do that. Based on my experience is that you are better to borrow the amount you originally agreed to and if you don't use it you send it back.

Dr. Taylor stated that we can use the USDA loan as the match for the lottery funds. Tim Phillips commented that he thought when we began the process that the goal was to continue on so if you get the 10 million and then secure the 19.5 million dollar loan then you could finish out the project. Dr. Taylor said that the original scope of this project was 29 million dollars that included the cafeteria, media center, etc. it would be wonderful to consider these things.

Chair Hicks commented that we do have one thing in our favor is that we have been talking about renovation and addition of the high school for a long time and have been moving forward with this project.

Dr. Taylor stated that was true we do have a shovel ready job and we are further along than most people because we have the plans, timeline, projected schedule, etc. Senator Ballard has been very supportive of us in this process.

Blake Vance commented that Representative Dobson is very supportive in this process and Senator Warren Daniel has expressed his support also.

Chair Hicks stated that if we get the lottery money that basically freezes our lottery money for a while.

Chair Hicks commented that Avery County is still paying on two loans for schools at this time.

John Greene, Chair of the Avery County Board of Education, expressed his appreciation and the Board of Education's appreciation for the Board of Commissioners perseverance with this project.

Dr. Taylor stated that he had a lot of experience managing projects like this and he will be a good steward of the citizen's money and will do everything that he can to make this the best project.

Motion by Blake Vance and second by Tim Phillips to go out of the Public Meeting at 4:24 p.m. Motion unanimously approved (5-0).

Recess

Chair Hicks called for a recess until 5:00 p.m.

Chair Hicks declared the meeting to be back in Regular Session after a recess.

Discussion with Avery Fire Commission and Avery Fire Chiefs

Chair Hicks turned the meeting over to Phillip Barrier, County Manager. Mr. Barrier stated that this is the first of the quarterly meetings with the Commissioners, Fire Commission and Fire Chiefs. Mr. Barrier thanked the fire departments for their hard work.

Mr. Barrier explained that he would have a roll call of the fire departments and the fire chiefs could express any concerns that they had with the budget.

Robert Hancock, Banner Elk Fire Department, stated that he had no comment.
Dean Gibbs, Crossnore Fire Department, stated that Crossnore was good.
Mike Ellenberg, Elk Park Fire Department, stated that Elk Park was fine.
Kacey Hughes, Frank Fire Department, stated that Frank was fine.
Kenny McFee, Green Valley Fire Department, stated that everything was fine with the budget that he had a problem with paid personnel. All of the departments have at least 1 ½ employees. We met in January on the paid personnel and we basically had one person and our only request was to let them do the same thing that all of the other personnel in our department does and the fire commission told us that would be discrimination. All of the others have proved that they could run the equipment. We were told that it is at the discretion of the board. We have gone into the second year. We run a whole lot in Mitchell County. That is the biggest issue that we have got.

Bill Beuttell stated that he cannot talk about the reasoning behind some of the decisions or circumstances because it was discussed in closed session. We are glad to work with Green Valley. I think there has been a person that has been available to Green Valley and we will be glad to work with them to get additional help down there.

Wood Hall Young, Jr. questioned what can be done to resolve this and who is it up to resolve?

Jim Brooks, Fire Commission, stated that this has been a doable item with all of the other fire departments but one and their board put some additional things on the fire commission that the other departments did not.

Mr. Barrier asked for an email from Mr. McFee explaining the problem.

Mr. Beuttell stated that he realized there was an issue here and the fire commission will work on getting it resolved.

Bob Garland, Ladder Company, stated that everything was good.
Mark Taylor, Linville Fire Department, stated that as far as the budget is concerned we are ok. We did not have an issue with the budget to start with. During the last meeting that we had three months ago it sounded like we were going to get more of an openness and working relationship. We discussed the floors at our building and the fire commission namely Jim had mentioned maybe we should use some of the fund balance

for that and then last week we got all of the information to them so then we were told that the fire commission was capable of funding half out of the fund balance and we were told that we needed to get the rest out of the personal savings that Jim seems confident that we have. We don't. Are we supposed to skip the floor for this year? Jim Brooks stated that the fire commission said to keep a fund balance of around \$10,000 and now you have \$24,759 so you are a lot closer than we thought the other day. Mark Taylor stated that we sort of get see sawed here.

Mark Taylor questioned what the definition of the fund balance is. Jim Brooks stated that it is for emergency items that come up that are not budgeted. Bill Beuttell said that anyone that has a fund balance has the option to transfer from one line item to another one.

Blake Vance stated that our county attorney is researching information regarding the fund balances.

There was discussion regarding fund balances.

Mr. Vance stated that the fund balances are public money and requests for that money must go through the fire commission.

Mr. Barrier asked if the fire commission could spell out the guidelines for requests for money from the fund balance. Bill Beuttell asked Mr. Barrier if he could get the guidelines from the County Attorney. Blake Vance stated that a dime of expenditure out of the fund balance has to go through the fire commission.

Bob Garland, Linville Central Rescue, stated everything was good with Linville Central.

Brian Bodford, Newland Fire Department, stated that Newland does not have a complaint about the budget and has never had a complaint on the money. The biggest thing is communication between everybody and consistency. It seems like half the time there is not consistency in the way things are done and there is no communication.

Kenny McFee stated that he felt like the fire commission made decisions before the fire chiefs knew anything about it. We always find out about things but there is no input from the fire chiefs.

Jim Brooks stated that he was on the fire commission and had not missed a fire association meeting in ages. The fire association rarely gives me anything to take back to the fire commission. I try to relay things. The fire association minutes are on line and so are the fire commission minutes. I have been trying to make sure that I relay everything to you all. I am at the meetings.

Brian Bodford stated that with the recent purchase of the ladder truck the consensus of the association was to look at another bucket truck but from that meeting to the decision to buy it, that was never relayed.

Mr. Brooks stated that you brought up at the fire association meeting a purchase of a truck for \$850,000. We don't have that kind of money and we are in the process of repairing the truck that we have so we got something to accommodate the situation. Mr. Bodford said that we needed to slow down and look for a truck. Mr. Brooks said that we talked this over with the chief of the ladder company and listened to him and that was how the decision was made.

Bob Garland stated "I understand what Brian is saying and I understand what the fire commission is saying and whenever we decided to go ahead and purchase the truck we looked at the monies that were available and we had the consensus of several of the people that looked at it and some more information came in after the truck was looked at and we understood that was going to be the best buy to get a truck quick enough to cover the county when we didn't have one. We had agreements with Spruce and with Boone to respond if we had something but if they were busy no they wouldn't come. As far as what was brought up at that meeting, I don't think we had the money and I said it in the meeting that we didn't have the money to put into a new bucket truck and if we got this one and it lasted 10 years and if we could take the one that is being refurbished and move it somewhere else and purchase a larger ladder truck because you are wanting 100 or 110 but at this time we didn't have the means to do it. That was my understanding coming out of the meeting. Several of the people that had opposition to it are not even members of the ladder truck and if you want to be a member then you can come in and sit down at a meeting and discuss this. Right now we are doing the best we can with what we have."

Bobby Powell, Seven Devils Fire Department, stated that everything is good and we are working more towards communication.

Bob Pudney, Town of Beech Mountain, stated we are good.

Jeremy Hayes, Fall Creek Fire Department, stated that as far as the budget goes we are doing pretty good. Charlie and I are still working out some things. Charlie is easy to work with. We do put a lot of stress and pressure on Jim being the only go between the fire association and fire commission. It was brought to my attention that the fire commission can't show up to fire association meetings because that would involve a quorum and invoke a meeting. I don't think what we are discussing tonight is helping the problem.

Blake Vance asked if the fire association could prepare an official report to take to the fire commission meetings and vice versa. Jim Brooks stated that there was a time when the fire commission met before the fire association meetings but then it got contentious and that was stopped. Mr. Brooks stated that the minutes for the fire association and fire commission meetings are on line.

Bill Beuttell stated that Charlie has a full plate and works really hard and does a fine job. He calls me random times and passes on concerns to me. I will say put it on the

agenda for the next meeting. I want to make one thing clear here I am not here and don't serve this county to be here to bash the association or fire chiefs or county commissioners. I am here to be of assistance to the county and we are dealing with several different fire departments and a budget that is fair but limited. There is room for improvement. I want to let everyone here know that I am here to be of service to the county. The only contention that I have is that when Brian says that the decisions are made prior to these meetings and I will tell you there are no closed door meetings to discuss what is going on with the fire association or the business of the fire departments. We took the information that we had about the ladder truck and made the best decision. I had talked to Bob Garland, Matt McClellan, and even talked to Mark Taylor about this.

There was discussion about only buying one truck a year. There was discussion about refurbishing of trucks.

Mr. Barrier stated how do we improve communication?

Brian Bodford asked if it would be feasible to take things to the association and have it voted on and then brought back to the fire commission so there is a paperwork trail of communication. Matt McClellan stated that most decisions about personnel or something like that happens during budget workshop so we could send that out to them and then see what the response is.

Mark Taylor questioned what has happened about the third seat on the fire commission? Blake Vance stated that the General Assembly is not in session again until January so we are hoping through these meetings we can get to a consensus for everybody before we do anything like that so I think the Board will take it up later but hoping that through these meetings we can get everyone on the same page.

Bill Beuttell stated that Corey Hughes resigned last Thursday night. We are in the process of accepting applications. It is the position that the four other commission members select. We should be able to select that application by the next meeting.

Kenny McFee stated that it was his understanding that DOT is doing a pilot program and doing away with a lot of the employees and that a lot of things are going to be contracted out. We were out a lot during the Hurricane and our biggest concern is the trees and we didn't see any DOT out.

Blake Vance stated that DOT does not pay any attention to what the commissioners say now but the County Manager could look into this.

Mr. Barrier stated "we are going to work on the communication piece."

Chair Hicks stated that we have come another step and that is what these quarterly meetings are for. I have seen a great improvement in the past ten years and have seen the fire tax go up.

Adjourn

Motion by Blake Vance and second by Tim Phillips to adjourn this meeting at 6:03 p.m. Motion unanimously approved (5-0).

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

ATTEST: _____
Cindy Turbyfill, Clerk