

**STATE OF NORTH CAROLINA
COUNTY OF AVERY**

The Avery County Board of Commissioners met in a Regular Meeting on Monday, December 2, 2013 at 3:30 p.m. in the Commissioners Board Room, Avery County Administrative Complex, 175 Linville Street, Newland, NC.

Members Present: Kenny Poteat, Chairman; Glenn Johnson, Vice-Chair; Phyllis Forbes; Reo Griffith; Martha Hicks

Members Absent: None

Call To Order

Chairman Poteat called the meeting to order at 3:30 p.m.
Chairman Poteat led prayer.

Organizational Meeting

Election of Chairman

Kenny Poteat turned the meeting over to Robert Wiseman, County Manager for the election of Chairman of the Board.

Mr. Wiseman opened the floor for nominations for the Chairman of the Avery County Board of Commissioners for the upcoming 2014 calendar year. **Phyllis Forbes nominated Kenny Poteat for Chairman of the Avery County Board of Commissioners. Reo Griffith seconded the nomination.** There were no further nominations. **Motion was unanimous with those voting.**

Election of Vice-Chair

Chairman Poteat assumed the position as Chairman of the Avery County Board of Commissioners. Chairman Poteat asked for nominations for Vice-Chair. **Phyllis Forbes nominated Mr. Glenn Johnson as Vice Chair of the Avery County Board of Commissioners.** There were no further nominations. Chairman Poteat stated that Mr. Johnson was adopted by acclamation.

Appointment of Officers

Clerk to Board

Motion by Glenn Johnson and second by Phyllis Forbes to reappoint Cindy Turbyfill as the Clerk to the Board. Motion unanimously approved.

Chairman Poteat commented that we are all pleased that a few years ago Cindy came our way to help Avery County.

County Attorney

Motion by Reo Griffith and second by Glenn Johnson to appoint Michaelle Poore with Harrison and Poore Law Firm as the County Attorney. Chairman Poteat commented that the high level of professionalism by Ms. Poore was very much appreciated by the Board. **Motion unanimously approved.**

Finance Officer

Motion by Phyllis Forbes and second by Reo Griffith to reappoint Tim Greene as Chief Financial Officer. Chairman Poteat commented that the quality of Mr. Greene's work was impeccable and that he was a very fine employee. **Motion unanimously approved.**

County Manager

Motion by Glenn Johnson and second by Martha Hicks to reappoint Robert Wiseman as County Manager. Chairman Poteat commented that Mr. Wiseman had a wealth of experience that has shone over the years in the service to this county. **Motion unanimously approved.**

Public Comments

Rachel Deal stated that in the paper she had read about the reorganization of the Agricultural Extension Office. She said she did not want to see Avery County lose anything else and that we should fight to try to keep our extension office and what we have for our rural areas. We are losing a lot of things that help the rural people and we need to fight this.

Jerry Moody, Agricultural Extension Director, thanked the Board for the support they had shown to the extension, to Reo Griffith for the letter of support for Agricultural Extension and for Glenn Johnson who attended to the listening session that was held in Boone regarding this issue. Mr. Moody said there is going to be some reorganization of some fashion. How that reorganization takes place I am hoping is dependent on the response from our county partners and citizens. I think it is important for us to keep our extension office. If we were to go to a regionalized system, it would hinder my ability to help growers whether it be Christmas tree growers, livestock growers or greenhouse producers and also inhibit the ability to reach out to the youth in the county. Avery County had a good turnout at the listening session in Boone.

Glenn Johnson stated that he attended the listening session for the Agricultural Extension Service which was well attended by Avery County citizens with the Avery County citizens being more vocal than the other people. Whatever it takes we need to keep our local extension service.

Martha Hicks announced that on December 14, 2013 at AC PRIDE there will be a Christmas Bazaar with the money that is collected for setting up the booths going to help fund the playground equipment at the Riverwalk in Newland.

Reo Griffith stated that it was lacking one day being 365 days since he was sworn in as county commissioner. It has been a great year being part of county government and feeling like I am in the will of the people. I want to thank the people that I represent.

Robert Wiseman, County Manager, said that he thought it would be in order to go ahead and bring up that the Board of Commissioners create a resolution of support as other counties have done in regards to the Agricultural Extension Services and the issues that they are facing. We don't want to lose our people and get a third of what we are paying for instead of paying the same price. I would like permission from the Board to create a resolution in support of the Agricultural Extension Service and for the chairman to sign it.

Motion by Glenn Johnson and second by Phyllis Forbes to allow the County Manager to create a Resolution in support of the Agricultural Extension Service and the chairman to sign this document. Motion unanimously approved.

Public Hearing – CDBG Linville Cove Project – Mike Walser

Motion by Martha Hicks and second by Phyllis Forbes to go out of Regular Session and into a time of Public Hearing regarding the CDBG Linville Cove Project at 3:50 p.m. Motion unanimously approved.

Mike Walser, Carolina Governmental Services, LLC, explained that Avery County made application to the NC Department of Commerce, Division of Community Assistance for a Community Development Block Grant (CDBG) in June 2011. In August 2011, the state funded the CDBG for the purpose of providing pedestrian, water and sewer improvements to the proposed Linville Cove, 32 unit elderly apartment community. This project was carried out by the County in conjunction with Western NC Housing Partnership. To date, all CDBG funds have been expended and the Linville Cove is 100% occupied, therefore the County can begin the close out process for which this public hearing is required.

Chairman Poteat said that most of the Board has had the opportunity to see this project and it is a very nice building.

Sam Ray, Avery County Citizen, commented that he had toured the building and it was a beautiful project.

There were no further public comments.

Motion by Martha Hicks and second by Glenn Johnson to go out of the Public Hearing Regarding the CDBG Linville Cove Project and back into Regular Session at 3:55 p.m. Motion unanimously approved.

Board Appointments

Avery County Agricultural Advisory Board – Ann Coleman

Ann Coleman, Chairman of the Avery County Agricultural Advisory Board, advised that the Agricultural Advisory Board had voted unanimously to appoint Tommy Dellinger to Doug Clark's remaining term of 3 years. Mr. Clark was reappointed in 2013 to a three year term. Mr. Doug Clark had an accident in the spring and has been unable to fulfill his duties as a Board member and he has decided to resign. Ms. Coleman requested that Mr. Tommy Dellinger be appointed to the Avery County Agricultural Advisory Board.

Motion by Reo Griffith and second by Martha Hicks to appoint Tommy Dellinger to Doug Clark's remaining term of 3 years on the Avery County Agricultural Advisory Board. Motion unanimously approved.

HCCG Rural Transportation Advisory Committee

Robert Wiseman, County Manager, advised that Glenn Johnson has been serving as the Avery County Representative for the Rural Transportation Advisory Committee. This term is set to expire on December 31, 2013.

Motion by Phyllis Forbes and second by Martha Hicks to reappoint Glenn Johnson to the HCCG Rural Transportation Advisory Committee. Motion unanimously approved with those voting.

High Country Regional Bike Plan – Phil Trew

Phil Trew, Director of Planning and Development for the High Country Council of Governments, explained that NC Department of Transportation contacted the High Country Council of Governments in 2011 to work on a bicycle plan in the seven counties. The plan is intended to identify what roads need improvements to accommodate bicyclists and to make it safer for motorist and bicyclists. The problem is there is not a lot of money to do independent bicyclists and pedestrian projects. The NC DOT spends a considerable amount of money on highway improvements so the intent of the plan is to tie bicycle improvements to major highway projects. In the fall of 2011, each of the seven counties appointed representatives to be on a steering committee. In Avery County, Doug Owen, Bret Gardella, and Ted Silver were appointed. The steering committee has met approximately 15 times over the two years to develop this plan. We have gotten a lot of public input and have had 17 public meetings. The plan has two major components: 1) recommends improvements to existing roads

to make cycling safer; 2) recommends the establishment of seven recreational routes designed for tourism promotion. Mr. Trew explained the possible improvements to the roads which included wider shoulders on the roads. The counties would have verbal input on this plan but not financial input. Mr. Trew said he was asking for adoption from the seven counties.

Chairman Poteat questioned if, for example, Hwy 19E was to be improved or resurfaced would that be the time that the shoulder widening would be completed. Mr. Trew said that was the plan.

Phyllis Forbes questioned if the recreational routes would have signage only and no shoulder widening. Mr. Trew answered that on the recreational routes there was no recommendation for improvements.

Reo Griffith questioned that at some of the businesses in Banner Elk and Newland where would a four foot bike lane be put? There is limited parking at these businesses now.

Martha Hicks said the same thing could be said for Hwy 194 from Heaton to Banner Elk because the guardrails are setting on the edge of the bank now; there is no way to get a four foot bike plan there either.

Glenn Johnson stated "we have to keep in mind this is if and when there are road improvements on these roads. There is no current funding for any of this now or current funding for the roads now. When and if 19E were to come up on the radar screen it has to be in place this is what we are looking for in the realm of bicycle lanes."

Phyllis Forbes stated "in so many instances it is better to be proactive than reactive. We can't wait until they say the roads are coming through but we need to have this in place so when they are ready to redo the roads they will know what we want."

Phil Trew stated that he was asking for adoption of this plan from the Board today.

Mr. Griffith stated that he felt the Board needed more time and more information before adopting this plan. There is a 180 some page document concerning this that needs to be given to the Board for review that has not been provided to the Board.

Chairman Poteat said apparently timing is not essential and because of the unknowns this issue will be tabled until later.

Oasis – Jennifer Herman

Jennifer Herman, Oasis Director, updated the Board on Oasis in Avery County. Ms. Herman stated that in March 2013, Oasis was contacted by the NC Department of Administration – Council for Women and asked if the agency would expand services to include victims and survivors of domestic violence and sexual assault in Avery County. Since April, Oasis has begun providing crisis line services and having staff persons over here during the week and they have been able to provide assistance for approximately 50 clients and their children. We have secured donated office space at Cannon Hospital in the social work department area which is a secure location. We have begun coordinating services with Avery County DSS, Daymark, local law enforcement, Avery County Schools, AMY Regional Library and local health care agencies. Ms. Herman stated that Oasis appreciated the partnerships that had been made in Avery County. Phyllis Forbes questioned if Avery County would be getting a new shelter at some point in time. Ms. Herman said that shelters were very expensive to operate and required 24/7 presence in the facility and that is additional staff outside of the staff. We are going to be working on a strategic plan and a shelter is the goal of Oasis for Avery County.

Single Family Rehabilitation Program – Michelle Ball

Michelle Ball thanked the Board for the letter of support for the High Country Council of Government to submit a Single Family Rehabilitation Program application to the NC Housing Finance Agency. Ms. Ball stated that back in the summer the General Assembly decided to take the CDBG funds and use them for infrastructure. The Scattered Site Housing Program has been cut from the budget as well as Small Business Entrepreneurship Grant and some other programs. Avery County is in the middle of the last Scattered Site Housing cycle; this has been mostly replacement of homes. Basically to help counties continue with some sort of housing repair program there is a Single Family Rehabilitation Program. High Country Council of Government will be the applicant for Avery, Alleghany and Yancey counties. The big difference in the projects is the type of homes that we will be able to work on. This is more of an energy star program trying to make homes more energy efficient. There is an energy audit done on each home. The homes we will be working with are moderate rehabs more than replacement homes. The county will have no financial burden. We are asking the county to allow us to use the committee that we have set up for the Scattered Site Housing Program. This is based on income, ownership and full time resident. There is a deed of trust for a maximum of 10 years. We are also looking through the housing finance agency at an urgent repair program and we are looking at doing this as a supplement up to \$5000 for small repairs.

Tax Administrator Report – Phillip Barrier

Tax Collections Report

The total tax collection for the month of November 2013 is \$2,420,970.00.

Motion by Martha Hicks and second by Glenn Johnson to approve the Tax Collection Report for the month of November 2013 as presented. Motion unanimously approved.

Regular Tax Releases

The Regular Tax Releases for the month of November 2013 is \$285.00.

Motion by Phyllis Forbes and second by Martha Hicks to approve the Regular Tax Releases as presented. Motion unanimously approved.

Motor Vehicle Releases

The total motor vehicle releases for the month of November 2013 is \$644.25.

Motion by Glenn Johnson and second by Reo Griffith to approve the Motor Vehicle Releases as presented. Motion unanimously approved.

Property Tax Commission Refund

Motion by Martha Hicks and second by Glenn Johnson to approve the Property Tax Commission Refund of \$142.56 as presented. Motion unanimously approved.

Adoption of the Schedule of Values

Mr. Barrier requested that the Schedule of Standards and Rules to be used in the next reappraisal which is January 1, 2014 for all real property in Avery County to be adopted and to remind the public that the book is still open for examination and will remain in the Tax Administrator's Office until December 25, 2013. Once this is adopted, it will be published in the local papers four different times.

Motion by Phyllis Forbes and second by Martha Hicks to adopt the true value and present use value schedules, standards, and rules to be used in the 2014 reappraisal of real property in Avery County. Motion unanimously approved.

Recess

Chairman Poteat called for a brief recess.

Chairman Poteat declared the meeting to be back in session after a brief recess.

County Manager Updates – Robert Wiseman

Agricultural Extension

The County Manager and Jerry Moody will work on the Resolution regarding the Agricultural Extension Services. Commissioner Griffith stated that there were approximately 20 petitions out in the community with numerous signatures and that he would like for the petitions to accompany this resolution.

Renovation of Courthouse

Mr. Wiseman said that overall the courthouse renovation was on schedule. We might be behind a week on one issue and ahead a week on another issue but overall as far as the critical path we are on schedule. We are all concerned about the Probation offices potential move from the old daycare building in Banner Elk to what is now the space occupied by the district attorney. This is still on schedule for mid-March.

Nick Montanez, MB Kahn Construction, advised that the interior renovations of the Clerk of Court's Office and District Attorney's office is moving along quickly. The rough-in electrical and mechanical had been done; stud walls are up and the sheetrock would be installed soon. The main part of the courtroom and rear section of the courthouse will begin renovation in April 2014. There is an August/September 2014 completion date. The project is still within budget.

MB Kahn Construction Management Services Proposal – Bill Cramm; Nick Montanez

Nick Montanez and Bill Cramm gave a presentation to the Board regarding Construction Management Services Proposal for the new high school. Mr. Cramm explained the benefits of using MB Kahn Construction Management Services which included long-term commitment to assist Avery County; unmatched experience with similar projects; unmatched construction management experience; demonstration of cost savings; on schedule delivery of projects; on time, under budget and high quality of projects.

Finance Officer Report – Tim Greene

Tim Greene, Finance Officer, stated that he had done some research along with the County Attorney and it was suggested that his two deputy finance officers would need to be appointed so they would have authority to do checks, wires and purchase orders, etc. The two deputy finance officers are Starla McClellan and Ashley Cole Ingwersen.

Motion by Martha Hicks and second by Phyllis Forbes to appoint Ashley Cole Ingwersen and Starla McClellan as deputy finance officers and approve the deputy finance officers to execute the certificate in NC General Statute 159-28. Motion unanimously approved.

Mr. Greene requested that the Board set a date for a Board retreat possibly the week of January 14-17. The Board will let the clerk know what dates that they will be available.

County Attorney Report – Michelle Poore

Ms. Poore thanked the Board for the reappointment as County Attorney.

The Grandfather Mountain Tax Appeal is progressing normally. We are in the process of getting the record of appeals finalized. After the briefs are filed, we will hear from the Court of Appeals on whether or not they want to hear oral arguments on that matter. Resolution of this is still going to be several months out but hopefully will occur this fiscal year.

Approval of Minutes

Motion by Martha Hicks and second by Phyllis Forbes to approve the November 4, 2013 Regular Meeting Minutes. Motion unanimously approved.

Agenda Consent Items

Commissioner Griffith asked why there was a \$500 transfer in economic development. Tim Greene, Finance Officer, answered that was to move money from one line item to another because there was not enough money in that line item to pay for cleaning at the incubator in Banner Elk. Commissioner Griffith stated “remember what Tyler Mulligan said even coming down to mowing of an industrial park, the conservative approach.” Michaelle Poore advised that she had spoken with Mr. Gardella in the past month and reiterated the need for a public hearing whenever monies are expended at the incubator.

Martha Hicks stated that she felt like we needed to approach Cannon Memorial Hospital with regard to holding the medical statements for the Avery County Jail. Mr. Greene said he had spoken with Cannon Memorial Hospital and evidently it was not their fault it was the company that “scrub” the bills. Mr. Greene will speak with this company about this situation.

Agenda Consent Items Adopted by Consensus.

Upcoming Meetings

The Employee Christmas Luncheon will be December 18, 2013 at 12:30 p.m. The next regular meeting will be January 6, 2013 at 3:30 p.m.

Adjourn

Motion by Phyllis Forbes and second by Martha Hicks to adjourn this meeting at 5:56 p.m. Motion unanimously approved.

Kenny Poteat, Chairman
Avery County Board of Commissioners

ATTEST: _____
Cindy Turbyfill, Clerk