

**STATE OF NORTH CAROLINA  
COUNTY OF AVERY**

The Avery County Board of Commissioners held a Special Meeting on Monday, June 4, 2018 at 9:00 a.m. in the Commissioners Board Room, Avery County Administrative Complex, 175 Linville Street, Newland, NC. The purpose of the meeting was to discuss fire service related issues with Senator Deanna Ballard, Representative Josh Dobson, the Avery County Fire Commission, and the fire/rescue chiefs from each department.

Members Present: Blake Vance, Vice-Chair; Faith Lacey; Tim Phillips; Wood Hall Young, Jr.

Members Absent: Martha Hicks

Others Present: Senator Deanna Ballard; Representative Josh Dobson; Bill Beuttell, Avery County Fire Commission Chair; Vice-Chair Johnny Mathes; Members, Jim Brooks; Matt McClellan; Corey Hughes

**Call To Order**

Vice Chair Vance called the meeting to order at 9:07 a.m.

Phillip Barrier, County Manager, led prayer.

Vice-Chair Vance stated that Bill Beuttell, Chair of the Avery Fire Commission was going to share about the relationships with the departments and the county commissioners and the legislators can then ask questions.

Mr. Beuttell stated that he was in his third term with the fire commission. It has been a pleasure being a member of this team. We have engaged in our responsibility ethically and with the taxpayers respect and good will and we have had a good relationship with the county commissioners. We have looked at the budget every year and have tried to provide the services to this county. We really up until recently have not felt we have dealt with any inversion with the fire service until recently when there were rumors, innuendos and complaints going on behind our backs so this is where we are today to try to look at some issues that they may have. We have been attempting to reach out to the different fire department chiefs and say here we are we are available to listen to complaints and as of this date we have not gotten formal or informal complaint on why the funding mechanism does not work. We were pretty much blindsided with some of the things that were going on recently.

Representative Josh Dobson stated that he was glad that we are all in the room to talk about this. I think our preference would be to stay out of local issues but we are here to listen to both sides and try to find a way forward. Can you tell me about the process?

Mr. Beuttell stated that each department during the initial budget process puts together their wish list, what they would like to have or what they feel they need to have. We gather all of the budgets and we look at them. When we first started out we were 1 ½ million dollars over the anticipated revenues. The commissioners set the fire tax at 6.67 cents a few years ago and then moved it up to 7 cents. When we start the budget process we talk to the county manager and to the commissioners and take what we received the year before, we get the average growth rate so we work from there backwards. When we look at each budget of the fire departments we do what we think we need to streamline the budgets and eliminate what can be put on grants. We are very amenable to say this is what we have and this is what we can provide so tell us why you need something extra and if the money is there we will give them what they need. We have a fairly healthy fund balance and we use that responsibly for breakdowns, wrecks, etc.

Senator Deanna Ballard stated that we are here really to make sure communications are happening and with if anything we need to do in statutory language that looks at the makeup of the commission. In regards to the actual makeup of the commission, you receive no compensation? Mr. Beuttell said no. The only people that are paid are the fire department coordinator and a part-time secretary. Jim Brooks is vice chair of the fire commission and he is also secretary to the fire association and has been for years. When I tell you we have been blindsided about the petition that is going around Jim can tell you that in his attendance at the fire association he has not heard about any complaints.

Senator Deanna Ballard questioned about the level of engagement with the county commissioners. Mr. Beuttell stated that we have a great relationship with the current county commissioners. We have a pre-budget meeting and then I may go to the commissioners and say this is what our budget is going to be and they will have questions that they ask. After we go over the fire departments budgets and they are approved we will go over the budgets with each fire department and that is when they can tell us if they need anything else. Mr. Brooks stated that Phillip Barrier and Cindy Turbyfill did attend some of the meetings and they do keep up with the minutes also. Mr. Brooks stated that he is one of the elected representatives from the fire association along with Johnny Mathes. At the fire association meetings it would be appropriate for them to come to us about what they need. Senator Ballard questioned how often was the elections held for the fire association representatives. Every year two people are appointed.

Vice-Chair Vance asked Mr. Beuttell to talk about the fund balance of the fire commission because there had been some questions about that. Charlie Franklin, Fire Department Coordinator, stated that the individual fire departments turn in a monthly expenditure sheet. There is money in the fund balance for each fire department. The budget numbers will be above and beyond each of the fund balance numbers. They have stayed within the budgets. Vice-Chair Vance questioned how much was the fire commission holding in fund balance. Mr. Franklin stated that there is \$300,000 in the

fund balance and \$103,000 in a CD. Vice-Chair Vance stated that this was for a 2.6 million dollar budget.

### **Recess**

Vice Chair Vance stated that there would be a recess until 10:00 a.m. when the fire chiefs were scheduled to attend the meeting.

Vice-Chair Vance declared the meeting to be back in session after the recess.

Vice-Chair Vance thanked the fire chiefs for attending this meeting, the fire commission and the Senator and Representative. Vice-Chair Vance stated that there was a petition that had been circulated that Senator Ballard and Representative Dobson has and is now public record and the commissioners are requesting a copy of the petition.

We have entered into the second phase of the meeting where we will be hearing from each department. As we go into this I would like to remind everyone that we are neighbors. I would like to keep this civil. Secondly, for those that have something to say or have issues, now is the time. Public policy cannot be dictated or made based on he said or she said. We will be taking no action as a board of commissioners today. Now is the time to say it. If you don't say it here, that needs to be the end of it. We are going to allow each chief or designated representative to speak. We will allow up to 5 minutes to speak. At that point we will allow the fire commission to respond and then Senator Ballard and Representative Dobson may ask questions or comment and then we will enter into general discussion.

Bobby Powell, President of the Fire Association, said that he was Chief of Seven Devils and that he did not know anything about the petition. As the association, we knew that something was going on but I was not invited to the meeting or invited on the petition. This is not coming from the fire association. We have departments here that were not invited to the meetings. I thought the fire association and fire commission was working well together. I was one of the chiefs that voted for the fire commission. The county commissioners have been on board the past couple of years. I am stuck in the middle because I am not sure what is going on and I am embarrassed to be here.

Representative Dobson questioned Mr. Powell as President of the Fire Association and Chief of Seven Devils does there need to be changes to the fire commission. Mr. Powell stated that he thought the fire commission worked well as it is. There are four emergency services people sitting on the fire commission now. They listen to us. We have two from the fire association on the fire commission. I am not sure what would be a good replacement for this makeup. We have elections in August every year and these are rotating positions and we have two positions. There is one chief and two former chiefs on the fire commission now. We have monthly fire association meetings. We go to different departments every month. We have one fire commission member there.

Jim Brooks stated that we try to talk about the things that are happening from the fire commission at the fire association meetings.

Rep. Dobson questioned Mr. Powell where the disconnect is between what you are saying, what the fire commission is saying and the seven departments who have signed this pretty direct petition. Mr. Powell stated that he thought it was because the seven fire departments wanted more stuff and the budget only allows for so much. Funding is always a problem. I think the communication a lot of time is just one side or the other side. It would be nice if there were more people coming to the fire commission meetings instead of doing something like this.

Senator Ballard questioned if there are issues addressed before at the fire association meeting and not dealt with. Mr. Powell stated that he tries to have an open meeting and try to work together with the departments.

Bob Pudney, Fire Chief of Beech Mountain stated I am not sure I need to be the first department to speak. I don't have a clue what the issue is. I have not been invited to any of the meetings and have no knowledge of the petition. I attend every fire association meeting and have for the last nine years. All the issues that have been decided by a majority vote have been handled. My personal experience is that I have done 9 budgets with the town and the fire commission and 9 times I have been afforded the opportunity to come to the fire commission and make my case. The fire commission has always been fair to me and professional. We have not agreed on the details of the budget and I understand that. I understand the system we have in Avery County and the system works. Beech Mountain would like to have more funding and more tax dollars but we understand the system. The fire commission has been transparent, polite and professional and listened to my comments and rendered a great decision and we have been able to operate our department. This appears to be anti-fire commission but not on behalf of Beech Mountain.

Robert Hancock stated that he was a member of Linville and Banner Elk Fire Departments and he had been asked to speak on behalf of the chiefs of Crossnore, Newland, Elk Park, Green Valley, Fall Creek, Linville and Banner Elk.

Vice-Chair Vance stated that Mr. Hancock could speak on behalf of Banner Elk or Linville but we have requested the chief from each department or representative from each department plead their case. We will hear directly from those departments. That was the instruction that went out to the fire departments.

Mr. Hancock stated that the chiefs would like a reduction of combative bureaucracy and there is no one more intimately familiar with their districts than the chiefs themselves. They are proposing that the financial matters of the fire service be conducted collectively by the fire chiefs. They all want a seat on the fire commission and are willing to handle it themselves and willing to put in the work. The chiefs want more control of hiring and management of the employees. We think we can do a better job of

that. We understand that they have rules to go by but we think they should be changed. Upon review of the act to enable the county of Avery to establish an Avery County Fire Commission and the MOU we see no statutory reason that the fire department should be subject to the fire commission or its unreasonable oversight. We are willing to participate in the fire commission in order to reform it, reduce expenditures and increase the efficiency of the fire service by reducing the burden of bureaucracy. I have a copy of the act to enable that could be amended to change the constituents of the fire commission. We want to see the chiefs on the fire commission.

Rep. Dobson questioned if most departments have a paid employee.

Mr. Hancock stated that there is at least one fire commission employee at each department between 7 and 3. They answer to the departments and to the fire commission.

Mr. Beuttell stated that the chief of the department is the immediate supervisor.

Senator Ballard asked for an example of the bureaucracy that Mr. Hancock was referencing. Mr. Hancock stated that in his experience it is an adversarial process. Come budget time it is more or less take it or leave it and that is how it is described in a meeting five years ago of the fire commission. The minutes reflect the attitudes that the chiefs have expressed. They have not considered that in five years that it has not gotten better and contend it has gotten worse. Senator Ballard questioned if it was a laborious process. Mr. Beuttell stated that if a fire department runs out of fuel they can make a phone call to Charlie and he can get a check pretty quickly. The chairman has the authority to approve expenditures up to \$5,000 without a vote from the entire board.

Rep. Dobson questioned if Mr. Hancock's recommendation is to add more representation to the fire commission. Mr. Hancock stated that the chiefs would like to change the way money is allocated and they are willing to do that by using the fire commission if they can get a hold of the fire commission. If you consider the disparity of property values in Avery County between the fire districts there is little consideration with the property that needs to be protected, the tourism that needs to be protected, economic interests that are unique to some of the fire districts and some of the fire districts doesn't produce enough fire tax money on their own to support their firefighting activities so we think there should be a different formula.

Vice-Chair Vance stated that the fire tax was capped at 10 cents on \$100 valuation. There are places in Avery County where 10 cents would not provide adequately for the needs so we are without option when it comes to individualizing rates or districts. We don't have much option on that. Mr. Hancock stated that it is hard to make the argument that the citizens of Banner Elk can't afford 24 hour fire protection when they contribute more than \$900,000 a year in fire tax.

Mr. Beuttell stated that we support their activities and if there are issues we need to talk about that is what we want to do. I as a taxpayer and fire commission member, I hold

no animosity to anybody no matter what has been said. I am here to do my very best. I appreciate the service you do for the county. We are not a perfect organization and if we can do something better we can certainly do it.

Mike Ellenberg, Chief of Elk Park Fire Department, stated that communication is one of the problems. I would like one year to be able to get through the year without worrying if I am going to have enough money in the budget. We sit on a big insurance load at Elk Park most of the year to make sure we are going to be able to make the payments. When we go before the commission to start funding for the next fiscal year, we are worried about them cutting our line items on fuel. We have to worry about fuel, electricity, fuel for the trucks, they cap it. We are not asking for anything outrageous. We have to come back if we do run out. We have gotten by over the years but the worry has still been there. I don't think we have requested for any money.

Rep. Dobson questioned if you have not had to ask for funds beyond your allocated budget where is the concern. Mr. Ellenberg said there is pressure on the chiefs. Why should we have to worry with the kind of tax money coming in why should we worry about getting through the budget year. Our medical expense was capped at \$500. Last year we showed that we exceeded that by \$2000. We have to go back and ask for money and that is a hindrance. We should not have to do that to start with.

Senator Ballard stated that I have heard there was an amount of debt that the fire departments had incurred. I think the capping is to keep that in check.

Mr. Ellenberg stated that the fire commission is in control. Their duty is to keep control of what we spend. It is reasonable what we are asking for to a certain extent. I remember when the commission came into effect and we have had good years and bad years. We can't blame these guys because this is a whole new set of guys from five years ago. That is primarily what Elk Park is asking for. My burden is that there is no sense for us to be worrying about having enough money to operate. We have not had to come back and ask for any more money than what was in the budget.

Vice-Chair Vance stated that Elk Park's fund balance is \$50,000 and over the past three years that has grown by 20% every year. If I am seeing a fund balance growing 20% in any department that we fund I have to ask how that is facing difficulties for funding. Mr. Ellenberg stated that we have been told we couldn't touch it in the past and I am not putting it off on these guys but we were told we couldn't touch it.

Mr. Beuttell stated that sometimes a department will come for a request and we will tell them to use their fund balance. There is a formal request process. We give the money based on needs. We look at the call volume. We look at the costs from the previous year. There are certain line items that we cap. We don't intentionally cap it at a level that is harmful to the department. We reevaluate the caps annually.

Jim Brooks stated that there is a \$30,000 matching state grant and when I came on they would not budget for things that would not go for the grant. This is a learning experience.

Dean Gibbs, Chief of Crossnore Fire Department, stated that he had worked for the fire commission 8-10 years part time at my station before I became chief. The caps on line items are one of the biggest things for Crossnore. We run 200 medical calls a year and they give me \$500. I have nine EMT's and I am buying Epi to give to my first responders. The other issue is that we have two people at Crossnore. I think the hours should have been spread wider. I didn't have a say so. The other thing is on the fund balance, our insurance comes out the end of June. The way the county money comes in we have to put back enough to pay the insurance. We share the concerns of the other fire departments and each department needs someone on the fire commission.

Mr. Brooks stated that the county manager was at the budget meetings and he is looking into the situation with the medical supplies. The situations with the epipens is something we need to know from the departments.

Senator Ballard questioned how much of the budget is personnel. Charlie Franklin stated it was close to \$400,000. Mr. Beuttell stated that the fire commission did not have enough tax money coming in to fund two tankers and at the same time it was hard to get volunteers so it was thought we would institute these floaters to get more paid staff in the county. When we deferred not to do the tankers, we hired people. We are trying to increase volunteerism.

Mike Laws, representative from Green Valley, stated that I am on both sides of the fence. I am paid by the fire commission. We have heard there are hidden accounts for the fire commission. What does the fire commission have? Is there money that the fire departments here have no idea you have?

Vice-Chair Vance stated that this has been said a whole lot and it is impossible or illegal for a commission to have hidden accounts. They are subject to an audit just like the county.

Mr. Laws stated that he is speaking about volunteers. We have half our roster is at least EMR state certified. I was in a meeting and addressed you guys twice over epis that had been out of date. We are running a business. There is no reason for that to happen. Eighty percent of the calls that we get are medical based calls. I have addressed you and I have felt like it has fell on deaf ears. We have to have the equipment. I should not have to pick up the phone and ask for equipment. Green Valley has yet to get a rover. We had some people that were qualified but they would not look at them. The chief is to the point that if it doesn't change this could make us lose our ISO ratings.

Rep. Dobson questioned if they are asking for the medical equipment that they need. Mr. Laws said after two or three meetings we finally got things fixed. There are some things we can exchange with EMS but there are times that we can't.

Jim Brooks stated that if he needed more medical money Green Valley has a \$21,000 fund balance. Some of this is getting used to spending the money.

Johnny Mathes stated that the medical is capped at \$500 but I try to get it on the EMS truck so it goes back to the EMS. We are hoping that most of the equipment is traded out on each call.

Mark Taylor, Chief at Linville Fire Department, stated I stand behind Mr. Hancock's statements. He has expressed Linville's wishes. Each chief knows what his department needs thus the concern for putting the chiefs on the fire commission. We know that we spent about \$2500 and we are capped at \$500 and still capped at \$500. This year we will spend about the same money. We do run things through the fire association and eventually get some success but it is a very slow process. Referring to the fire commission there is a sense that everything has to be cookie cutter; what works at Linville might not work at Green Valley. I feel like we are being pushed in those directions. Jim had mentioned the 50/50 grant. Linville, because of the additional people gifted to us by the resorts, the fire commission has known for 5 or 6 years that we are not getting the state grant. When we don't get that the state grant is basically the money that replaces items that wear out, air packs, gloves, gear, tools. The fire commission has known for 4 years. They have known we are not getting that grant. Yet I don't feel like the fire commission as a whole has made large attempts to compensate the fact that Linville is bleeding to death on lack of equipment. Two years ago I thought I had a deal worked out for a private deal to get some of the money supplemented in order to make a large purchase and I kept holding back on spending the money that they had given us which was half of the 50/50 grant so when I finally did get that worked out we didn't get the money from the fire commission. It was earmarked for that purchase but because I let it run the 12 month mark we were denied the money. It is things that are frustrating to Linville.

I had heard it said that no one knew that anyone was upset or had concerns the direction the fire commission is running. I didn't know we had the option to call them. I assumed each year in the budget meetings when we would fuss a little bit over these caps or this amount of money that is not being funded that we have to argue to get enough money. We were \$250.00 short originally. Mr. Brooks stated that there were some wrong things in the budget line items and we worked those out. Mr. Brooks questioned what changed to allow you to receive the grant this year. Mr. Taylor stated "I hate to put this on record but I will because you are asking and we needed it; some lady that we contacted in Raleigh basically told us and we have it by email what she told



us to do. She gave us some shady directions and we got it. If you ask me, I will tell you.” Mr. Brooks stated that he hoped that the issue had been resolved. Mr. Taylor stated “at least for this year or until we are caught. Again, when you become desperate you will do desperate things.”

Mr. Taylor stated it seems like and this is a feeling I have when this so called petition started circulating it was like the fire commission was more flexible. In our budget meeting we have made comments about the 35/5 that you are supplementing our employee with and this year it was told that this was negotiable. Mr. Brooks stated that was his idea, not the other ones idea.

Mr. Taylor stated referring to the employee, I have been told that most of the chiefs had an opportunity to be involved in the interview process but the truth is I had no input in that whatsoever even though Corey has turned out to be a good employee. I think the fire commission should when they are going in a specific direction ask the opinion of the fire departments.

### **Recess**

Vice-Chair Vance called for a brief recess.

Vice-Chair Vance declared the meeting to be back in session after a brief recess.

Vice-Chair Vance stated that just for the record there are no such things as secret or hidden accounts. Every dime is audited. That is a persistent rumor. It is taxpayer’s money.

Jeremy Hayes, Fall Creek Fire Department, stated I think that we need to work out better representation for the fire chiefs. The thing about having representation at the commission level is it lets you know exactly what is going on. We have talked about in a couple of meetings is that Avery County is the only county that is still running the fire service in this manner. All the other counties in NC do it differently. Jim Brooks stated that Fall Creek Fire Department would not be able to run without the process we have now. Mr. Hayes stated that the chiefs need input on the fire commission.

Rep. Dobson questioned if Mr. Hayes thought quarterly meetings with the chiefs would be a place to start or are you suggesting advisory members to the commission. Mr. Hayes stated it would be necessary to have chief or representatives as members of the fire commission.

Senator Ballard said there are two session laws that have established a fire commission with Henderson County and Avery County. Other counties appear to have fire commissions also. Most counties have the associations which are nonprofit organizations and are not necessarily part of county government.

Mr. Hayes stated that there needs to be some changes made. A commission is an oversight committee to make sure that the monies were allocated to be used in a positive manner and we have gotten away from the checks and balances thus the supreme rule.

Mr. Beuttell stated that we have some numbers now. Charlie Franklin stated that there is \$169,000 for debt reduction for Green Valley's truck. Mr. Beuttell stated that the bottom line is there is \$300,000 undesignated reserve funds plus \$103,000 in a CD.

As of April 30<sup>th</sup> in the primary checking account for the fire commission there is \$741,000 of which approximately \$400,000 goes to the purchase of a truck. In the debt reduction account is \$169,424.66 which is designated for Green Valley. In the Lands and Buildings account there is \$97,627.81 and that is money for Frank Fire Dept. and there is a CD that has a balance of \$103,043.51. The unreserved fund balance is about 15-16% of the budget which is pretty much in line of which is expected of our board.

Newland Fire Department—Dale Benfield representative— I have been a fireman for 30 years and chief for five. I wanted to say that most of us guys are firemen we are not lawyers or professional speakers and that is why we have got to this. These guys don't know how to come and talk to the board. They have been intimidated by previous boards. If it was running smooth we would not be sitting here today wasting our time. I was here when the Fire Commission started. It was set up because we had some of the departments in debt and it was set up as an overseer. Since then they have taken over. It was said that the chief has control of the employees that is absolutely not so. There has been a terrible waste of money in the employees right now. We have two sitting at Newland Fire Department every day. Every man sitting in here knows that it is about a two hour a day job to keep the paperwork and stuff caught up and the rest of the time it is running calls and there is plenty of stuff that they could be working on but they do not answer to the chiefs they answer to Charlie. He is the one that signs their check. We cannot ask them to do certain things that is not in their job description and that should not be so. You turn around and they give Linville the money to pay their employee and they hire them. Newland has not been given that opportunity or we would. It is a different set of rules for each department and different guidelines and we are not equally represented and it has split up a bunch of departments. I have been at Newland and I have seen a lot of good members quit because they get tired of the politics. They say you can come ask for money well yes you can but to do that we have to call Charlie, Charlie is to put us on the agenda and you go ask for the money and you might get it an answer or you might not and used to generally it was always no. Now they are throwing up fund balance. The last two or three months it has been a little bit easier for some of the departments to get money out of their fund balance but before we could not take one penny out of the fund balance without the permission and it was not done quickly or easily. This was set up to help reduce the debt. At the time there was 2

million dollars in debt. I would like to ask today how much debt does the fire commission have? Debt is debt. What is our debt for? I have been told we are over a million dollars in debt. I at one time came before and asked about a set of tires for the truck and the first answer I got was you need to put that on the grant. One tires is necessary you can't wait six months to get the grant. Since we are talking about a grant did Frank Fire dept. ask for a grant because there are dozens. Johnny Mathes said that the grant was applied for but was turned down.

Mr. Benfield said there is some good guys on the fire commission but it used not to be. There needs to be a restructuring.

I think the restructuring should be a member from each department and put a couple of county commissioners on it. We have not had a problem with the county commissioners. Do away with the fire commission and set up a committee to oversee. The seven that signed the petition we have to send in a monthly report. Beech Mountain and Seven Devils do not have to give a report. They are two paid fair department chiefs. For some reason they do not have to give a report like we do and it is not fair. They get a check once a year and they don't have to show how to spend it and where they spend it. The other departments have to give a monthly report and if we are off one penny they question it.

Mr. Pudney responded that he had to send in a report from Beech Mountain.

Mr. Benfield said the previous board was intimidating.

Mr. Benfield said again that Newland's two men at the station answer to Charlie and not Brian. Mr. Corey Hughes said then we need to talk about that if that is the case.

Mr. Hughes stated that he realized that the employee thing is not the perfect situation.

Tyler Burr, Banner Elk Fire Department, stated that he would like to reiterate the position. I don't know how you could argue equal representation for the fire departments. Mr. Burr said with the questions in numbers why could there not be an outside audit. Vice-Chair Vance stated that the fire commission is audited every year when the county is audited.

Rep. Dobson stated that you are saying more equal representation with a role for the chiefs on the commission.

Johnny Mathes, Chief at Frank Fire Department, stated that before I became a fire commission member I thought that the fire commission was holding money but once I got on the fire commission you see you don't have as much as you thought you did. We were 1 million dollars over what we had to give out so where do you start cutting back. You can't give everybody everything they want. We just have so much money to go

around. My eyes were opened once I got on the board that you don't have the funds you thought you did to go around. As far as the petition going around we knew nothing about it. Frank had to cut corners but we will make it. The last three terms the Fire association has asked me to go back on the fire commission. Every two years it is voted for your position.

Vice-Chair Vance stated that the take away that I have is there is a tremendous lack of communication out there.

Rep. Dobson stated "I think our preference would be to see this solved without further legislation. We don't feel like it is our role to get involved with local issues but because it was a statute that created this is why we are here. I would hope that there would be a way to solve this without further legislation. One problem with that is we don't have a lot of time because of the short session we are in. Because we don't have a lot of time we want to get it right or at least have some type of consensus on what needs to be done. I think it is clear that there are concerns. We can all agree that we can do better. What I would like perhaps is recommendations if any from the commissioners on what maybe they would like to see such as changes made, alterations, etc. and whatever from the fire association as a group speaking as one voice on concrete changes; perhaps adding four members to the commission in addition to the members that are there. We are trying to hear everybody out and try to find a way to move us forward. I would like to hear recommendations in a relatively short period of time from the commissioners, from the association speaking with one voice and from the commission. If you have any recommendations on how to make it better and how to further include the chiefs if it is recommending that you sit down on a quarterly basis with the chiefs and go through the budgets. If you have recommendations on how to improve the system either legislatively or otherwise I would like to hear that. I think because of the time constraints that we are under that you will see a bill filed in the general assembly, please don't be alarmed by that just means we need to get something in writing and what you see filed is not the final product if there is some way to move us forward. We don't want to pick sides on this. We want to hear from all sides to see how we can improve the system and move forward."

Senator Ballard stated "I think first and foremost we definitely want to say thank you for what you do for serving the county. I think it is critical to have a commission that is transparent and communicative and operates a reasonable oversight. I do think that is critical. I don't want to see the debt happen again. Just coming from looking at it, it is imperative to looking at regrouping every 6 months to alleviate some of the pressure. I would encourage you to fill a role on the commission when there is an opportunity. There are no term limits in the statute. I don't want to add more layers or add more people to the mix. I serve multiple counties and I have sit in at Alleghany County and they have a lot of the same concerns. Funding is always an issue. We encourage each

department to be creative and asking us for letters of support for particular grants. It takes a lot of creativity and effort and communication.”

Rep. Dobson stated “I think from our perspective just so we are clear, I don’t think the extremes of either side are an option at this point. I don’t think a complete dissolution of the commission that has been recommended by some is something that needs to happen but based on what I have heard today I don’t think status quo is ok either. I want to hear recommendations from every side. The training you have to go through year after year, the risk, it is amazing to me that you come back year after year to do this. Thank you for what all of you do as well.”

### **Recess**

Vice-Chair Vance called for a brief recess.

Vice-Chair Vance declared the meeting to be back in session after a brief recess.

Vice-Chair Vance stated that while the chiefs are here we are going to have a roundtable discussion. We will allow the board of commissioners to start out now.

Tim Phillips stated that it looks to him like communication and representation is two of the big things.

Wood Hall Young, Jr. stated that a whole lot of what he heard was really reverted back to the former fire commission. Mr. Hancock said that the current fire commission works good except there should be more representation on the fire commission. Mr. Young stated that would have to come through legislation. If each fire chief were on the fire commission would they attend the meetings? They have the opportunity to attend them now. Mike Laws stated that if the chiefs do not have anything to address they are not going to waste time to come to the fire commission meeting. Last night at the meeting it was the consensus that it could be a representative.

Mr. Young stated that before the fire commission the budget for the fire departments was \$600,000 and we are up now to 2.7 million which has come a long way.

Mr. Young questioned if each department’s chief or designated person was on an advisory committee in under the fire commission would this not work equally as well. There was discussion regarding fire service before the fire commission and then when the fire commission was established.

Vice-Chair Vance stated that we needed to try to get us in a better place by a better baseline. When you are at two different baselines, it is hard to find common ground. In the last commissioner election there were a lot of false things said. Let us make sure we are operating from a base level. The fire commission is sitting on \$400,000 in undesignated fund balance, there is no missing money; they are audited annually. Any accusation of missing money is because someone cannot read a budget.. I spent a couple of hours to explain this at one point but would have been better off beating my

head against the wall. The fire commission is not sitting on a ridiculous fund balance. I want us to operate from that baseline so we are all on the same page.

Several issues with fire service and equipment were discussed that were discussed previously in the meeting.

Mr. Beuttell stated that he volunteered his service. We are an extension of the commissioners will. It doesn't matter if you have three fire association members on the committee or five and they come to you and they say they need 10 million dollars everything is of naught if you don't give them that. It would not bother me if you have five chiefs, the money is only going so far and they are going to have to look at each other and have to say who is going to get this. They need to tell you what is adequate and you need to say yes we agree with that or no you have to deal with what you have. It all comes down to money.

Vice-Chair Vance stated that there is no department in this county that does not submit a line item budget. That is the way the system is set up. It is public money and needs to come through the commissioners or commission.

Corey Hughes stated that the point of the board is to protect the taxpayer's money.

There was considerable discussion about funding trucks and use of the fund balance.

### **Recess**

Vice-Chair Vance called for a brief recess.

Vice-Chair Vance declared the meeting to be back in session.

Tim Phillips stated that in listening to this it seems like we need to do something about the departments being able to use the fund balance but still we need to go through the proper channels because it is taxpayer's money but needs to be expedited. It seems like medical supplies has been an issue and that is something that we need to take the cap off and look at it on a case by case basis by departments and call volume.

Faith Lacey stated that she realized that you need quicker answers when you have a need and more communication.

Vice-Chair Vance stated that there have been times that it would make sense to have the chiefs as the commission and I have thought about this a lot in the past four to five months and I have learned a lot in the last little bit. I see a couple of problems with the chiefs being the commission. We have two very distinctly different Avery County's. You have the part of the county that has a lot of money and other parts of the county that is poor. I feel like the division would come between the chiefs. I felt like there is going to be a competition there for that money. The other problem I see with the chiefs or other members of the fire department is what I have referenced earlier. When we have an application process that is open and I believe every time that it has happened there has been only one application for that position. Is that the case for the fire association?

Bobby Powell stated that there were three that applied for it recently. The problem that I see is the interest in this.

There was discussion about fire trucks and equipment.

### **Recess**

Vice-Chair Vance called for a brief recess.

Vice-Chair Vance declared the meeting to be back in session after a brief recess.

Mr. Beuttell stated that the only problem that I have had personally through this whole process were the claims made against us about us having secret meetings and embezzling money and money missing, that is a bunch of hogwash. I have no problem with anyone in the fire association saying I don't like Bill Beuttell but at least say in the same breath they are not doing things unethically or illegally. I would love for you as commissioners to allow for the chiefs to sit in my position so you can have five chiefs in here and let them look at each other and say we know that is what you want but we don't have the money to give to you. That is pretty much what we have been doing.

Gary Miller stated that he would like for each department to have a say and I understand more people you have on a board the more opinions but I think each department should have a say.

Rob Hancock stated that I think the large number of voting members on the board is one of its merits. I think that a large number of voters are going to encourage the fire departments to handle things when possible and not get the fire commission involved.

Mark Taylor stated that he realized larger numbers are a problem. Each fire department needs to have their say. I am not sure 10-12 members are the way to do it. I don't think the current operation is being successful though.

Mike Laws stated that whether it is three representatives or what, Kenny made it plain that the departments need to be represented more.

Bobby Powell stated that it would make every one happier to have seven members and rotating chiefs.

Mark Taylor stated that one idea that was kicked up in the secret meetings that Linville hosted is that eight or so fire departments join and then that be a five member board and then be on a rotation. If Banner Elk is on it for this year then it would be a delegate of Linville to serve on that spot for the next two so that is keeping it spread out evenly and a smaller board too.

Jim Brooks stated that he would like to see more participation from the chiefs that don't come to the meetings.

Bill Beuttell stated that he thinks there needs to be some tweaking. I am here to do a job.

Corey Hughes stated I am for whatever change to take place to benefit the fire departments.

Tim Phillips thanked everyone for coming. I appreciate what you do. I want to do what is best for Avery County and I am trying to do that. I think we need to take this as consideration as a board.

Faith Lacey stated I realize where we would be without you. This is something the board needs to discuss.

Wood Hall Young, Jr. thanked everyone for coming. There is some tweaking to do but the decision is going to be tough on how to best suit everyone.

Vice-Chair Vance stated what I am hearing from everybody and what I am hearing from the legislators, obviously there needs to be some changes to the status quo. We will take no action today as we were not noticed to do so and we need some time to “brainificate” on this just a little bit. Something that I would offer as a possible solution for now is to help provide a little more sense of community in this is asking that we have an advisory council to work with and meet at least quarterly with the fire commission before we ask them to make any changes. The more we sit down and talk the more common ground we have than differences. We will take this up as a board of Commissioners and make some suggestions to our legislators and hopefully our Chair Martha Hicks can be with us.

Wood Hall Young, Jr. stated that he hoped that we as a board of commissioners come to an agreement that you will know what it is beforehand before anything is done. I think that line of communication needs to stay open and be more input on what the final thing would be. We don't have all the answers. Your input is very valuable.

Vice-Chair Vance stated that we have to run the balance between taking care of the taxpayers and giving what you need.

**Adjourn**

**Motion by Tim Phillips and second by Wood Hall Young, Jr. to adjourn this meeting at 2:30 p.m. Motion unanimously approved with those in attendance (4-0).**

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

ATTEST: \_\_\_\_\_  
Cindy Turbyfill, Clerk



