

**STATE OF NORTH CAROLINA
COUNTY OF AVERY**

The Avery County Board of Commissioners met in a Board Workshop on Friday, January 9, 2015 at 8:30 a.m. in the Conference Room at the N.C. Forest Service Mountain Training Facility, 6065 Linville Falls Highway, Newland, NC. The purpose of the board workshop was to discuss strategic planning for future issues to come before the Board, the budget process and the upcoming budget for Avery County.

Members Present: Reo Griffith, Chairman; Maxine Laws, Vice-Chair; Martha Hicks; Faye Lacey; Blake Vance

Members Absent: None

Call to Order

Chairman Griffith called the meeting to order at 8:37 a.m.
Martha Hicks led prayer.

Budget Process

Tim Greene, County Manager, explained how the budget process worked. There was considerable discussion regarding the budget process.

Recess

Chairman Griffith called for a brief recess.
Chairman Griffith declared the workshop to be back in session after a brief recess.

Pay-As-You-Go-Financing and Capital Projects

Mr. Greene explained that over the past several years the county has went by a pay-as-you-go philosophy. The county has tried to say instead of borrowing the money and paying the interest let's try to pay for it as we go along and that has worked well for these past projects. We have paid for the annex portion of the courthouse renovation, the courthouse project, the new jail and the rest of the courthouse renovation and have not borrowed any money. Avery County tries to maintain 20% unreserved fund balance which is a good number to pick. Most of the counties are in the 20% especially counties our size. I would recommend that we maintain a 20% fund balance. Over the years after June 30th and all of the bills are paid if there is anything over and above the 20% mark we will move over to the capital reserve fund and that is how we do these projects. The projects that have been on the horizon in the past are a new high school and a recreation project.

There was discussion about capital reserve fund and different projects. Chairman Griffith stated that the board needed to look at major capital projects very closely and that he believed the county had seen enough capital projects at this time. He said he would like to see the cushion back with the taxpayer but also wanted Avery County government to be financially sound.

DPI Report

Chairman Griffith read a letter from William C. Harrison, Chairman of the Department of Public Instruction dated August 10, 2012 regarding the Avery County High School. Chairman Griffith stated that the report lists updates for the Avery County High School but per public instruction report the building can be used for long term use. A capital expenditure report for the last five years regarding the Avery County High School was given to each board member.

Recess

Chairman Griffith called for a brief recess.
Chairman Griffith declared the workshop to be back in session after a brief recess.

There was discussion on the sewer system at the Avery County High School. The County Manager was instructed to get up with the school system regarding the sewer system. Chairman Griffith stated that he would say this for the record speaking solely for himself he did not see a new high school in the future.

Courthouse Renovation – Bathrooms, etc.

Mr. Greene stated that the bathrooms in the courthouse near the tax office were not part of the renovation project. There are monies in the project ordinance to renovate these. These bathrooms are not ADA compliant.

Consensus that the bathrooms near the tax office in the courthouse need to be refurbished. Mr. Greene stated that he would get Beeson, Lusk and Street to design the bathrooms and then give to JE Greene for a quote and then go from there. The County Manager was instructed to confer with Commissioner Hicks to check on the flooring, paint and walls and bathrooms and get a dollar figure for a completion. Consensus of the Board to possibly go with a local contractor that is knowledgeable of this project.

Veterans Memorial

Commissioner Hicks said that she had not spoken with Nick Montanez regarding the Veteran's Memorial lately. Mr. Greene stated that the survey or design had not been done because of the change in the board. There was discussion regarding the Veteran's Memorial. Commissioner Hicks stated that she had taken pictures at different locations of veteran's memorials. The Board instructed Commissioner Vance that he could speak with possible donors for this project. Commissioner Vance stated that he would discuss this with the county manager and county attorney after the design had been completed. Chairman Griffith instructed Commissioner Hicks to get the pictures she had taken and let the Board look at them.

Front End Loader

Chairman Griffith stated that the front end loader at the Brushy Creek Landfill had been taken out of the budget for the past three years that he knew of and that this equipment was essential to the landfill. The front end loader has 18,000 hours on it. The County Manager presented some estimates from different companies regarding the front end loader. There was discussion regarding the front end loader.

Consensus of the Board to purchase a front end loader for the landfill at Brushy Creek.

Consensus of the Board to take this out of the capital reserve fund.

Site Attendant's Buildings

Commissioner Faye Lacey advised that the Board needed to get the site attendant's at the convenience sites some decent buildings to work in. This is a bad reflection on the county the way that they have been treated. I would like for a small construction group to start on these buildings immediately. Commissioner Maxine Laws agreed with Ms. Lacey.

Consensus of the Board that the Site Attendants have better working conditions. Commissioner Lacey and Commissioner Laws will get with the County Manager to work on the issues with the site attendants.

Recess

Chairman Griffith recessed the workshop for lunch.

Chairman Griffith declared the workshop to be back in regular session at 12:42 p.m.

County Attorney Report – Gerald McKinney

Courthouse Renovation

Mr. McKinney stated that he had been asked to look at the courthouse contract, completion date and penalties. Mr. McKinney explained the specific terms of the contract. Mr. McKinney explained that every change order was adding days to the date of substantial completion which made the new date of substantial completion December 16, 2014. Chairman Griffith questioned if all the dates were correct and properly documented is there any indebtedness to Avery County. Mr. McKinney answered that he did not think there were any penalties to be assessed. There was further discussion regarding the courthouse renovation. Chairman Griffith stated that the County Manager has heard the concerns from the Board regarding faulty workmanship and he is to govern himself accordingly.

Capital Reserve Fund

Mr. McKinney stated that he had been asked to take a look at the capital reserve fund. There is a statute that governs this fund. It is 159-18. It says any local government may establish and maintain a capital reserve fund for any purposes for which it may issue bonds. A capital reserve fund shall be established either by a resolution or ordinance by a governing board. It must state four things: the purpose for which it is created; approximate period of time during which the monies are to be accumulated for each purpose; approximate amounts to be accumulated for each purpose; and the sources from which monies from each purpose would be derived. There are two resolutions that the Board passed. The first was in June 2006 and then a new resolution was passed in 2009. All the purposes for the capital reserve fund have been completed so we need a new resolution for the capital reserve fund. When the purposes have changed, we need to amend this resolution.

Recreation Property

Mr. McKinney advised that he had been asked to take a look at the Recreation Property (Wright Property). The county got a grant from the NC Parks and Recreation Trust Fund. This was a matching grant. The County bought 3.75 acres and purchased it for \$762,000 so the County paid \$376,125. The trust put in the grant agreement that was signed off by the county and the trust that the county agrees to begin development within five years of the date the contract was signed. The purpose of the grant was to be used for park and recreation purposes. This is fairly broad but it has to be used for some type of recreational purpose. We cannot do anything with it other than use it for that purpose or if someone else bought it, it would have to be used for the same purpose unless the state waived it. It would have to be a public recreation use. We are not in compliance. The grant is not exactly clear about what happens when we don't comply. Chairman Griffith stated that the plans from Robbie Willis for the Recreation Project needed to be sent to the county manager as soon as possible. Mr. McKinney stated that the

County would need to get the state involved no matter what happens. The question is depending on the economy, is this something that the County wants to do. Chairman Griffith stated that he felt the consensus of this Board for the upcoming budget year is to have a sound financial government and in the same breath ease the burden on the taxpayers. Chairman Griffith stated that there needed to be a lot of ground work done on this issue. The County Manager was instructed along with Commissioner Vance to investigate about the drainage systems and what the Corp of Engineers has to say about this. Commissioner Vance said that he was 100% in agreement to ease the burden on the taxpayers. There was discussion about the recreation project.

Board Appointments

Mr. McKinney stated that Ms. Lacey wanted me to look at the policy with appointing board members to more than one board or committee. In general there are two major principles in play; one is that no employee of the county should be on any board, committee or commission when either the appointment is made by the board or funding is provided by the county and there is an exception unless the employee is ex officio and the commissioners deem it to be in the best interest of the county or the county employee is required by law to serve on that board. The issue is what is an employee under our policy. That is not particularly clear. Different parts will talk about it including commissioners and certain times it doesn't and certain times it is talking about county officials. We are not clear what an employee is in this section. The other thing is you can only make one such appointment per person unless the commission has to find certain circumstances which are not defined. The board is the one that makes the appointments not the chairman.

Gerald McKinney, County Attorney, left the workshop at this time.

Fairgrounds

Commissioner Lacey stated that she would like to see some paving at the fairgrounds and would like to keep this in mind in the future budget.

Burleson Property

Chairman Griffith stated that the prior board had been approached by the Burleson's regarding the property behind Lacey Realty. This property is 17' X 48' and is used for parking. The property is not the county's but we use it and at one time we wrote off the taxes and they have decided to pay the property taxes now. The price last year was \$11,000. Ms. Burleson said that she would take \$10,500 for this piece of property.

Consensus by the Board not to purchase the Burleson Property. The County Manager will contact Ms. Burleson about the decision and let the county employees know not to park on this property.

Recess

Chairman Griffith called for a brief recess.

Chairman Griffith declared the workshop to be back in regular session after a brief recess.

Salary Classification Plan

Tim Greene, County Manager, explained that the plan was done in the fall of 2010 with the MAPPS group and this group actually does this for the School of Government. The MAPPS study plan was to update the previous that was done by Maximus several years back. Over time the job classifications may get out of sync with what is going on. The MAPPS group was an independent third party expert in this field. To do this we set up a peer group that was our competition. We don't want to be a training ground for people. Our peer group was Ashe, Burke, Caldwell, McDowell, Mitchell, Watauga, Yancey, Town of Beech and Town of Banner Elk. The MAPPS group came in and provided questionnaires for each group of employees which included job duties, educational background, etc. The MAPPS group takes these and interviews a representative from each group. They also interviewed the supervisors.

An example was given of the classification plan. All the positions are fairly compensated for what they do, what their responsibilities are. In the pay plans there has to be some internal equity. When we do changes to salaries if you don't move up the whole pay scale, then you mess up the internal equity.

Anytime you make changes to people's salaries, it needs to move the whole scale up. This was set by the outside independent third party expert. We took this as was presented. Reo said he thought this was a good "insurance policy" for the Board of Commissioners. The policy has tasked the county manager to administer this salary classification plan.

Hiring Process

Mr. Greene said he wanted some clarification on this subject. Mr. Greene said that the way he sees this is that the department head is going to know what the qualifications are for the position. Do you want the department head advertising and then me overseeing the applications? I would think the department head would need quite a bit of input on who they would want and who would be the best fit for that department. Chairman Griffith said that is what we have a department head for. He said before the department head posts the jobs, the Board needs to see if that position is necessary. The Board is going to want to know when a position is open and not immediately put the job back up and see how essential the job is and if we don't fill that position is it going to be a burden on everyone else. The county manager

will know that answer and we expect your expertise and knowledge. We want to know the essentials of that position. I want you to call me when the county manager comes down to the best qualified people. Martha Hicks agreed with using the department head in this process also. When there is a job opening the department head needs to come to the county manager and discuss it. Ms. Lacey agreed that the openings needed to be looked at closely to see whether they were needed or not. Maxine Laws said that previously we got a lot of complaints about favoritism in hiring and we maybe need more hands on with looking at the applications to see that it is not hired by favoritism. Ms. Laws agreed that we needed to see if the position is needed and then maybe involve Tim and one or two of the commissioners and looking at the applications. I have had a lot of complaints about the hiring process. Blake Vance said that he was in agreement that every open position needed to be reviewed. We have too much fat in the government and some of it is in personnel. I don't want to go in and start "axing" people. I think the most efficient way is to do that by attrition. I would like to see in our hiring policy and have something written in the policy that we give preference to the residents of Avery County that have lived here for five years. Mr. Greene said he wanted to clarify this. If it is a critical position that needs to be filled, at that point let the director advertise for that position and do you want me to sit with the director and one or two commissioners sit and look at the applications. This is for regular full time positions. Mr. Greene said at the department head level I will call each board member individually and then if there is another position besides department head I will call and let the board members know if they would like to look at the applications.

Shared Leave Policy

Chairman Griffith gave an example of someone that came to work and laid on a concrete floor for 30 minutes during the day to make it through the work day and was out of time. County employees want to share some time with this employee while other employees were getting to be at home during sick time and getting paid. If I have worked x number of days and I have built up x number of sick time and I have a coworker who has a tragedy and is out of time I don't see one thing wrong with giving the coworker whatever amount of sick time I wanted to give her. Blake Vance said when you work and accrue time off it is your time to give to a coworker. I know this has been changed and it was abused. My proposal on this would be to revert back to be able to share all of the vacation and sick time that you want to share with somebody with two stipulations; that person has to deplete all of their vacation and sick time and also that person cannot solicit that time. Ms. Laws agreed with this and that there should be documented from a doctor that this is needed.

Tim Greene, County Manager, stated that if it was up to him he would do away with shared leave. The flip side of this is a county employee starts out accruing 12 days of vacation and accrue 10 days of sick leave and then 11 days of holiday and that is 34 days. Those days accrue but everybody accrues a good amount. Some people manage their leave time and some people do not; some people earn it and burn it and then when those people get sick they don't have time. I will do whatever the board tells me to do. Ms. Hicks said that the only way you should be able to share leave is by a doctor's excuse. I think it should be case by case.

Chairman Griffith said that he felt it was the consensus of the Board that we have some type of change in the policy against the wishes of the County Manager. You have shared the downside of this situation. I would ask that you study this with the County Attorney and if there can be a change to this policy to allow shared time it should be written out in the policy and specify that if someone has mismanaged their time then it would be on a case by case basis. We can do a consensus by phone regarding this situation.

Fire Department Coordinator

Mr. Greene stated that the Fire Department Coordinator was housed at the health department. He unofficially helps David Charles Vance. I would like to move him back over to the Administration Building. The Board said that this was a management decision.

School Resource Officer

Mr. Greene stated that the School Resource Officer used to be an employee of the school system but several years back the County took this over and this officer is now a deputy. I believe that Tim Winters has been this School Resource Officer. When the MAPPS group did the study, they classified the school resource officer as a 66. This time last year the school board got a grant and the school board did not want to hire them, we would like for them to be an employee of the county. The school board was going to reimburse us for three years. Bob Johnson moved into that position and was a road deputy and was classified as a 63. Bob took that position and remained at a 63 and there was no request to move him from 63 to 66. Bob retired and then they put a new person in and he was a road deputy grade 63 and he moved into Bob's position at 63. Brett Stocton moved to this position. I told Mr. Chairman that this was a grade 63. A week or so after a change order came down from the Sheriff's office to change Brett Stocton from a 63 to a 66 because the MAPPS plan classified School Resource Officer as a 66. I talked to Kevin about this and in the budget this was a grade 63. At any point we are going to have approval from the Board to do anything. He told me that when the school got the grant he talked to Robert and Robert said that in Bob's case he would stay where he was at because of what he was making. That is probably why they did not move him up to 66. It should have went to a grade 66 and then moved back on the step scale. That was not the way it was handled. Mr. Greene said that both positions should be the same

grade. There is 4% between grades. Mr. Greene said budgetarily there would be enough money so we would not have to do a budget amendment if we went up a grade.

Chairman Griffith said he was replacing a 63 grade person and this has never come before the board in the past. Mr. Greene said if we moved him up to 66 and slide him back to step 1 then it would be about \$3,000 more for him. Chairman Griffith said one problem with this is we have a salary classification plan to go by. We can't help what he was told he was going to make. Mr. Greene said this is not right the way it is and that it fell through the cracks. By rights, if the MAPPS says the School Resource Officer is a 66 then those should be a 66. Chairman Griffith said that before the Board addresses this any further that the Manager needed to finish investigating this and that this not be addressed until the new budget year comes in. Brett Stocton took Ron Bishops place who took Bob Johnson's place and there was never an issue.

Site Attendants

Ms. Lacey said that we have covered this issue earlier.

Animal Control

Blake Vance said "this is a big old fat hornet's nest that I don't want to kick" but I have had a lot of people mention this.

I have had a lot of people mention the need for animal control officer. I talked to Sheriff Frye about that this week and he was a little stand offish and he said that he saw two options which would be to fund an animal control officer through the Humane Society and the other option is to give him an animal control officer. I don't see a good solution. I know this needs to be addressed. Chairman Griffith said we can't solve every problem but we always want to hear the citizen's concerns. Blake said that this is something that needed to be addressed sooner or later but I don't really want to get into it. Our situation is bad in this county as far as animal control.

Surplus Property

Tax foreclosure surplus property was discussed. This will be discussed with the County Attorney on how we need to proceed with this. Ms. Lacey said that as soon as the contract was up with Daymark that she felt that the Avery Cares Building should be sold as surplus property. The County Manager needs to investigate other surplus properties that the county may have.

The County Manager is to discuss with the County Attorney about a resolution that the County Manager can declare certain things as surplus property.

Chairman Griffith thanked the board members for their input. We have spoken today of the sewer problem at the high school and instructed the county manager to get up with Mr. Burleson. We discussed the front end loader for solid waste and consensus of the board to proceed. Third item was monies for the trash site buildings. These were the three big items. We have no capital reserve because it does not meet the points of the general statute. We need a resolution adopted regarding these issues. Mr. Greene help us get to where we want to go. We want a sound government, wanting to ease the burden on the taxpayer and to do that it is not us that is going to be making the cuts. The departments need to be fine tuning their budgets.

Adjourn:

Motion by Martha Hicks and second by Maxine Laws to adjourn this meeting at 4:05 p.m. Motion unanimously approved.

**Robert "Reo" Griffith, Chairman
Avery County Board of Commissioners**

ATTEST: _____
Cindy Turbyfill, Clerk