

**STATE OF NORTH CAROLINA  
COUNTY OF AVERY**

The Avery County Board of Commissioners met in Regular Session on Monday, July 6, 2015 at 6:00 p.m. in the Commissioners Board Room, Avery County Administrative Complex, 175 Linville Street, Newland, NC.

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

Members Absent: Faith Lacey (family illness)

**Call To Order**

Chairman Griffith called the meeting to order at 6:00 p.m.

Martha Hicks led prayer.

Eddie Dean led the audience in the Pledge of Allegiance.

Chairman Griffith stated that if anyone would like to speak to an agenda item they must sign up on the sheet with the clerk.

**Public Comment**

Dr. Daniel Barron informed the Board that up until about a week ago he was the Director of the AMY Regional Library System and that he has officially retired now. I have been doing this for 9 years. I want to thank the Commissioners for the support over the years. The library today is more than check in and check out books but citizens can go to use computers, find jobs, etc. We have a bookmobile that goes to every childcare center. The new director is Amber Westall-Briggs.

**Board Appointments**

Tim Greene, County Manager, stated that there had been two board appointments that were advertised; one is for the Mayland Board of Trustees and the other is for the Avery County Joint Community Advisory Board.

**NCACC Voting Delegate**

Mr. Greene explained that each county is asked to select a voting delegate for the North Carolina Association of County Commissioners Annual Conference which will be held August 20-23, 2015 in Pitt County. The delegate will be the one who casts the county's vote during the annual business session.

**Motion by Martha Hicks and second by Maxine Laws to appoint Blake Vance for the voting delegate for the NCACC Annual Conference. Motion unanimous with those in attendance (4-0).**

**Avery County Ranger's Report – Joe Shoupe**

Joe Shoupe, Avery County Ranger, reported that the county staff consisted of the Smoke Chaser and himself. A Strike Team of local firefighters have been trained and are available to assist with fires and natural disasters in the county. There are currently 25 active members of the Strike Team. In 2014, there were 22 fires that burned approximately 107.9 acres. We spend many man-hours in various training that enables us to perform our duties safely and efficiently. Aerial surveys are completed annually to detect any major problems with insects and disease. Last year there were 26 timber harvest site inspections. Management plans were written for 8 landowners on 285 acres. There were several information and education accomplishments through the Avery County Ranger's Service.

Martha Hicks commented about the NC Forest Service BRIDGE Crew Program and how fortunate Avery County was to have this program. She also commented about a work program that Sheriff Frye was looking at and she asked Mr. Shoupe if he would get with Sheriff Frye about this to see if there could be some work done through the forest service. Mr. Shoupe said he was not familiar with the program that Sheriff Frye was looking at.

Chairman Griffith thanked Mr. Shoupe for his annual report.

**US Motto Action Committee – Rick Lanier**

Rick Lanier, Co-Founder and Vice Chairman of the US Motto Action Committee, spoke to the Board about the national motto "In God We Trust" being displayed on government buildings in Avery County. Mr. Lanier explained that these words had been used on US Currency since 1864, engraved above the entrance of the US Senate Chamber as well as above the Speaker's Seat in the US House of Representatives. On July 30, 1956 the US Congress adopted "In God We Trust" as the official National Motto of the United States of America. In November 2011, the US House of Representatives voted overwhelmingly to reaffirm "In God We Trust" as our nation's motto. Mr. Lanier explained that he was asking for the County Commissioners to approve the display of "In God We Trust" on the courthouse and in the Board Chambers. This would be at no cost to the taxpayers of Avery County.

Chairman Griffith read the following Resolution:

*Whereas, "In God We Trust" became the United States national motto on July 30, 1956 shortly after our nation led the world through the trauma of World War II and*

*Whereas, the words have been used on United States currency since 1864; and*

*Whereas, the same inspiring slogan is engraved above the entrance to the Senate Chamber as well as above the Speaker's dais in the House of Representatives; and*

*Whereas, in both war and peace, these words have been a profound source of strength and guidance to many generations of Americans; and*

*Whereas, the County desires to display this patriotic motto in a way to solemnize public occasions and express confidence in our society.*

*Now, Therefore, Be It Resolved the Board of Commissioners of Avery County does hereby resolves as follows:*

*Section 1. That the Board of Commissioners of the County of Avery, North Carolina, does hereby determine that the historic and patriotic words of our national motto "In God We Trust" shall be permanently and prominently displayed on \_\_\_\_\_ at \_\_\_\_\_, and to remain there in perpetuity.*

*Section 2. The County Clerk shall certify to the passage and adoption of this resolution and enter it into the book of resolutions.*

*Passed, Approved and adopted at a regular meeting of the Board of Commissioners of the County of Avery, North Carolina held on the 6<sup>th</sup> day of July 2015.*

Greg Gardner, audience member, stated "I am thankful and proud to be an American citizen even though our nation is moving further from our Godly foundation and heritage very evident with what has transpired in the past two weeks. I believe that our nation motto still reflects the view of a majority of the US citizens so I therefore ask you to endorse this project and in so doing will be in the will of the people. I have spoken with Mr. Lanier and I expect my church and company to help with the funding."

Martha Hicks said that she would never vote against "In God We Trust" because that is who I put my trust in. I was in surgery for 5 hours with my back and I had to trust in God. I am all for this project.

Maxine Laws said she would like to thank Mr. Lanier for sharing this with us and would be proud to vote yes for this and like Martha my husband has had to call on God a lot here lately so I would feel very honored to say yes. I think this is what 99.9% of the citizens of Avery County would want us to do.

Blake Vance said that he agreed with Ms. Laws on the 99.9% and he was not concerned about the 0.1%. Mr. Vance thanked Mr. Lanier. Somehow this country has got the idea that we are not a Christian nation and I don't care what our President says we are a Christian nation and we are Christian people and "In God We Trust" is a motto I am proud that we have and wish we would put back in use not just have as a saying. I appreciate what you are doing.

Chairman Griffith questioned the County Attorney, Gerald McKinney, regarding references that Mr. Lanier had made to the Supreme Court and rulings and if the county attorney was in agreeance with the statements. Mr. McKinney said that he did not know of anything to the contrary but had not had a chance to read the Supreme court case. I have no reason to doubt that. It is our national motto so I think we have a right to display it.

**Motion by Blake Vance and second by Maxine Laws to adopt the Resolution to prominently display the motto "In God We Trust" on the front of the courthouse and in the Commissioners chambers. Motion unanimous with those in attendance (4-0).**

Martha Hicks questioned if Mr. Patterson had gotten back with the county about the display of the US Constitution and the Bill of Rights. The clerk stated that Mr. Patterson was waiting on the board to decide regarding the Veteran's Memorial because the board wanted it to be tied in.

**Resolution Regarding ConnectNC – Edwina Sluder; Dr. John Boyd**

Dr. John Boyd stated that ConnectNC was a bond initiative that the Governor has pushed. This includes infrastructure and has money in it for infrastructure for fiber. There is no tax increases from this. The state will pay for the cost of operating the election. This would be a 2.3 million dollar bond and we have attached a list of projects to be done with \$300,000 spent in Avery County to do a new roof as well as it

would update the green building. This would take pressure off of the county. We are asking that the people be able to decide about this and put this on the ballot.

Chairman Griffith read aloud the resolution:

*Whereas, Governor McCrory has proposed a bond referendum titled Connect NC and that a portion of the proceeds from that bond would be used for community colleges, and;*

*Whereas, Mayland Community College would receive \$2,282,065 from those bond proceeds for desperately needed renovation and repair projects to include projects in Avery County, and;*

*Whereas, Avery County does not have the capital funds available at this time to support these vital projects, and;*

*Whereas, a bond referendum requires a positive vote by the North Carolina House and Senate to be placed on the ballot, and;*

*Whereas, this bond referendum does not require an increase in state taxes and there will be no cost associated with the vote to Avery County, and;*

*Whereas, the Avery County Commissioners believe in the right of the citizens of Avery County and of North Carolina to decide in November, 2015 if they support such an initiative;*

*Therefore, Be It Resolved that the Avery County Commissioners urge their local delegation to vote for allowing the bond referendum known as Connect NC to be placed on the ballot in November 2015.*

*Respectfully submitted this sixth day of July, Two Thousand and Fifteen.*

Blake Vance stated that he had spoken to Josh Dobson regarding ConnectNC and he felt that it had some things in it that would be very beneficial to Avery County and I think there are a lot of good reasons to support getting this to the people.

Maxine Laws commented that it would be a very lucrative idea.

Martha Hicks commented that it might help with the internet service and she was all for it. When I came on as commissioner we tried to get more internet and we did get a company come in with some connection. There are a lot of places that our students can't get internet.

**Motion by Martha Hicks and second by Maxine Laws to approve the Resolution regarding ConnectNC with the typographical errors being corrected. Motion unanimously approved with those in attendance. (4-0).**

#### **Tax Administrator Report – Phillip Barrier**

##### **Tax Collections Report**

The Total Tax Collections Report for the month of June is \$96,298.88.

**Motion by Blake Vance and second by Maxine Laws to approve the Total Tax Collections for the month of June 2015. Motion unanimously approved with those in attendance (4-0).**

#### **Regular Releases**

The Regular Releases for the month of June 2015 is \$9,586.92. \$9,000 of this was an airplane; we could not find the airplane so it must not be in the county.

**Motion by Martha Hicks and second by Blake Vance to approve the Regular Releases for the month of June 2015. Motion unanimously approved with those in attendance (4-0).**

#### **Elderly Exemption**

Mr. Barrier reported that the elderly exemption is due back on June 1, 2015. There is a statute that says if someone has a hardship and if I feel like it is a hardship I can bring it to the board for your approval. This man got the exemption to me on June 5, 2015 but his wife had been in the hospital. He has all his paperwork filled out but I need your approval that we can accept this application four days late.

**Consensus by the Board to accept the elderly exemption presented by the tax department.**

### **End of Year Report**

For 2014 all tax bills we collected is 96.94%. That is up from last year. Our goal is 97%. Of the approximately \$18,000,000, we were out of balance one day by thirty cents.

If we break this down to real and personal bills which are our businesses and houses and land, we were at 96.94%. With motor vehicles, we have collected 75% of those. The main thing is we are up a half of a percentage point.

Mr. Barrier said that ten years was the statute of limitations on the tax bills. All tax bills from 2004 to 2014 we have a 99.8% collection rate. We do allow citizens to do payment agreements.

Maxine Laws thanked Mr. Barrier and his office for their hard work and what they do for Avery County.

Blake Vance stated that he appreciated the Tax office.

Martha Hicks said that she went by periodically to thank the tax office staff for the job that they are doing.

### **Recess**

Chairman Griffith called for a brief recess.

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

### **County Manager Report – Tim Greene**

#### **Veteran's Memorial**

Mr. Greene reported that the courthouse is finished and that we have talked about redoing the Veteran's Memorial. We may want to establish an ad hoc committee to do this. The committee, if the Board chooses, might want to put a budget together or the Board might want to put a budget together and then the committee discuss the type of monument. One of things that would need to be discussed is location. That would be the things that a committee could work out.

Chairman Griffith suggested that a member of the Disabled Veterans and a member of the Veterans of Foreign Wars be included in this committee along with Commissioner Hicks, Georgia Henry, and himself with Tim Greene, County Manager being an ex officio member. Chairman Griffith also suggested that a dollar amount be decided at this meeting so the committee would know what they were looking at.

Commissioner Hicks questioned the attorney about surveying of the Square and whether it needed to be done. The County Attorney said it would not necessarily need to be surveyed unless there was a concern with putting it on property that was not owned by the county. Commissioner Hicks said her concern was a lot of people have mentioned that they would like to get rid of the chain link fence and do something that looked nice around the square so we need to know the state right of way. I want some guidance from the board to see if we need to spend money to get it surveyed.

### **Motion by Martha Hicks and second by Maxine Laws to have the "County Square" in Newland surveyed by Lacey Surveying. Motion unanimously approved with those in attendance (4-0).**

Martha Hicks said her biggest concern was the survey and then the committee can get together and look at the design.

Blake Vance said that Vance Patterson had been to one of the meetings and made a presentation regarding the "Charters of Freedom" documents and he thought that we should be back in contact with him.

Maxine Laws thanked Commissioner Hicks for the time and effort that she had already put in this project. I would like to see something nice to show our appreciation to all of the veterans that have spent their lives in service.

Kevin Holden stated that as a representative for the Veterans of Foreign Wars that he had been asked to speak for them and to receive ideas. I want to thank the Board for the support of the project. We need something that is expandable and we can work with. I would be glad to be on the committee representing the VFW.

Chairman Griffith suggested that Mike Halus from the DAV to serve on this committee.

Greg Gardner, Avery County citizen, thanked the veterans, law enforcement, fireman, EMS who are all heroes to me. Both my grandfathers were WWII veterans. I ask you to endorse this project and in so doing would be in the will of the people of most Avery County citizens.

Chairman Griffith stated that what had been talked about was excess money in the courthouse project where it had come under budget. Mr. Greene said that it would be approximately \$600,000 but this figure did not include the bathroom project.

Chairman Griffith said he was going to open up for discussion.

Blake Vance said he did not have any comments.

Maxine Laws questioned if there was a dollar figure yet. Commissioner Hicks said that there was not a dollar figure. With the other board we did put a figure out, we earmarked \$300,000 for that project but that does not mean we have to spend all of that. We can't put a figure on what you are going to do until you get a plan. If we say \$300,000 or \$200,000 whatever money we don't use will remain in the general fund. I don't believe in wasting money but I do like to see things done right and something that we will be proud of. We talked about fixing the fountain and also talked about taking the fence down. When we were in the discussion before, we didn't think we were going to use the \$300,000.

Chairman Griffith commented that there were some Newland residents that had approached him concerning the size of the green space decreasing on both sides.

Maxine Laws questioned how soon could someone have a figure for the Board to look at. Martha Hicks said it would be as soon as a plan could be drawn up.

**Motion by Blake Vance and second by Maxine Laws to dedicate out of the funds from the Courthouse Renovation Project up to \$400,000 for a Veteran's Memorial on the County Square. Motion unanimous with those in attendance (4-0).**

**Consensus by the Board to form a subcommittee (ad hoc) for the planning of the Veteran's Memorial.**

#### **Broadband**

Mr. Greene stated that Commissioner Laws had approached him earlier in June to discuss ways that the county could assist in approving internet access throughout the county. The email contains a link to the NC Broadband website where individuals can report a lack of service or any type of service they do have at their location. The state then can use the data to help internet service providers gauge demand and justify providing service to those areas. In addition, Commissioner Laws and I called Keith Conover from the Office of Digital Infrastructure to get recommendations on the best way to move forward with this goal. Mr. Conover recommended forming a small committee to develop a strategy of getting the word out about the NC Broadband website. Commissioner Laws and I recommend the formation of an "ad hoc" Broadband Committee with the following members: Dr. David Burleson, Dr. John Boyd or his designee, Phil Trew, Maxine Laws, and Tim Greene. The more people we have in helping in this process the better we can achieve our goals of increasing our Broadband access in the county.

Maxine Laws stated that she felt strongly that this was something that the whole county could and would use and it could bring in more growth. We talked about the school systems and the computers and a lot of students don't have internet. If we can get this through then it would be something for the whole county not one section or the other but it would also incorporate the people who are here already that have the services. We first will have to get the website out and get the people to help us get the word out to the state that we do need this so we can get some funding that would make this a more lucrative deal for the Avery County citizens.

**Motion by Martha Hicks and second by Blake Vance to form the Broadband Committee (ad hoc) and accept the names for the committee which is Dr. David Burleson, Dr. John Boyd or his designee, Phil Trew, Maxine Laws, Tim Greene. Motion unanimously approved with those in attendance (4-0).**

Mr. Greene stated that this is not an overnight process; it will be a long process. We don't want to get everyone thinking that we will have Broadband next week.

#### **Avery Cares Lease**

Avery Cares lease will be tabled pending further conversation.

#### **Board Workshop**

We have discussed having a board workshop regarding planning of capital projects and we would also like to discuss the board policy.

A board workshop was scheduled for July 20<sup>th</sup>, 2015 at 9:00 a.m.

**Approval of Minutes**

**Motion by Blake Vance and second by Maxine Laws to approve the April 23, 2015 Budget Workshop; April 29, 2015 Budget Workshop; April 30, 2015 Budget Workshop; May 12, 2015 Budget Workshop; May 18, 2015 Regular Session. Motion unanimously approved with those in attendance (4-0).**

**Agenda Consent Items**

**Adopted by Consensus of the Board.**

**Upcoming Meetings**

There will be a board workshop on Monday, July 20, 2015 at 9:00 a.m.

**Adjourn**

Chairman Griffith adjourned the meeting at 7:55 p.m.

---

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

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