

**STATE OF NORTH CAROLINA
COUNTY OF AVERY**

The Avery County Board of Commissioners met in Regular Session on Monday, November 4, 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 announced if anyone would like to speak to an agenda item they must sign up on the sheet with the clerk otherwise there was a time of public comments.

Glenn Johnson led prayer.

Proclamations and Awards

Resolution---NC Department of Transportation

Chairman Poteat read aloud the Resolution:

Whereas, US Hwy 194 is a main thoroughfare from the state of Tennessee across the North Carolina State Line: and,

Whereas, this thoroughfare is a vital link to the economic well-being of Avery County as well as a substantial thoroughfare from Avery County to medical facilities located in Tennessee; and,

Whereas, on July 16, 2013 a major landslide rendered Hwy 194 impassable creating severe restrictions for Avery County residents with respect to public safety, commerce, and transportation to and from employment; and,

Whereas, the NC DOT exceeded all expectations in replacing the highway and ensured the serviceability of this road in record time;

Therefore Be It Resolved, that the Avery County Board of Commissioners recognizes the North Carolina Department of Transportation and all private contractors involved in the reopening of Hwy 194.

Chairman Poteat presented a signed Resolution to Jerry Combs with the North Carolina Department of Transportation. Jerry Combs stated that he would like to thank all of the citizens of Avery County for the patience while this project was being completed. He thanked the county commissioners. He also stated that he appreciated the staff and people that helped during this time. Mr. Combs said that the contractor Phillips and Jordan gave an estimate of \$8,000,000 but that the final cost right now is \$2,500,000.

Public Comments

There were no public comments.

Glenn Johnson stated that Patricia Briggs with the Newland Business Association had requested that any or all of the county commissioners were invited to participate in the Christmas Parade. The parade is Friday, December 6, 2013.

Reo Griffith stated that a group of students from the FFA program in Avery County went to the National FFA Convention and that they were very well behaved students and that the parents should be very proud of them.

Martha Hicks commented that the entire National FFA Convention program was on television.

Phyllis Forbes thanked Mayland Community College and the people who put on the Economic Development Symposium.

Kenny Poteat announced that he was at a state Board of Directors meeting for the NCACC in New Bern last week.

Board Appointments

Northwestern Regional Housing Authority

Robert Wiseman, County Manager, stated that Mr. Wood Hall Young was retiring from his position on the Northwestern Regional Housing Authority and it is essential that this Board appoints someone to finish his term. Mr. Wood Hall Young said he appreciated what the Board had done for him. He said that Mr. Wiseman knows the program and has been there for a long time and knows the county. He said he would like very much for Mr. Wiseman to take his place.

Motion by Glenn Johnson and second by Martha Hicks to appoint Mr. Robert Wiseman to the Northwestern Regional Housing Authority to finish out the term of Mr. Wood Hall Young. Motion unanimously approved.

Chairman Poteat thanked Mr. Wood Hall Young for his 34 years of service on the Northwestern Regional Housing Authority Board.

Public Hearing – Schedule of Values for 2014 – Phillip Barrier

Motion by Phyllis Forbes and second by Martha Hicks to go out of Regular Session and into a time of Public Hearing Regarding the Schedule of Values for 2014 at 3:50 p.m. Motion unanimously approved.

Phillip Barrier, Avery County Tax Administrator, said that this was the second part of our second step in administering the revaluation which will be effective on January 1, 2014. Today we are here to do a public hearing regarding the Schedule of Values. I will be back December 2, 2013 meeting to adopt the Schedule of Values. Mr. Barrier referred to a Quick Reference Guide for the 2014 Revaluation that is available for the public. Mr. Barrier stated that the purpose of the revaluation is to arrive at a fair market value of all real property for use in deriving property taxes. Neither the County Assessor's Office nor the Avery County Commissioners create the value of the property. Avery County currently does a revaluation every 4 years. Avery County does an in-house revaluation. The assessment will be effective January 1, 2014 and this will be reflected on the tax bills for September 2014. Mr. Barrier discussed the sales ratio. The schedule of values is simply the guidelines so that Avery County can reach the fair market value.

Chairman Poteat said this is Avery County's fourth four year cycle; the state dictates that it must be done every eight years. Basically, we did not take advantage up or down of the situation we went ahead and did the revaluation on the four year cycle. There were some adjoining counties that took advantage of that situation. Likewise, this cycle has been somewhat of a down cycle and we could have said let's leave these evaluations at what they were four years ago which is certainly higher than what they will be this cycle. I am proud of this Board in not trying to manipulate numbers but doing this when we were supposed to do it.

Chairman Poteat stated that Avery County observes revenue neutral. The reason that I say this is that for the vast majority of people in Avery County if the valuation goes down and we have to increase the taxes slightly this necessarily doesn't mean you would have to pay more taxes.

Glenn Johnson said that we as local citizens have to remember that the property in the gated communities is selling more "under water" than ours is.

Martha Hicks said we need to keep in mind that we were 1.5 million dollars in the "hole" in regards to the budget from last year.

There were no public comments.

Motion by Martha Hicks and second by Reo Griffith to go out of Public Hearing Regarding the Schedule of Values for 2014 and back into Regular Session at 4:15 p.m. Motion unanimously approved.

NC Governor's Crime Commission Grant – Troy Cook

Troy Cook, Avery Sheriff's Office, reported that there was a grant available through the NC Governor's Crime Commission for \$15,000 for overtime for drug investigation. This would be a 25% match which would be \$3,750.00. A large part of the overtime is drug related. This will come out of next year's budget. Reo Griffith asked if this money can be budgeted out of the "extra money" that is budgeted every year instead of additional monies. Mr. Cook said he thought that was reasonable. Mr. Greene said that this would be handled in the budget process.

Motion by Martha Hicks and second by Reo Griffith to give the Avery Sheriff's Office the authority to apply for the NC Governor's Crime Commission Grant that would provide overtime funds for officers involved in the investigation of illegal drug activity and in the 2013/2014 no additional monies would need to be budgeted for the local match. Motion unanimously approved.

Tax Administrator Report – Phillip Barrier

Phillip Barrier, Tax Administrator, stated that the collection rate for the month of October 2013 is \$1,663,818.

Motion by Martha Hicks and second by Phyllis Forbes to approve the Tax Collections Report for October 2013 as presented. Motion unanimously approved.

Real and Personal Property Releases

Mr. Barrier explained that 90% of the releases are old bills. Total Releases is \$1,123.63.

Motion by Glenn Johnson and second by Phyllis Forbes to approve the Real and Personal Property Releases for the month of October 2013 as presented. Motion unanimously approved.

Motor Vehicle Releases

The Motor Vehicle Releases for the month of October 2013 is \$1,070.49. A lot of this is Lees McRae College. The state has mandated that Lees McRae cannot automatically exempt the vehicles anymore; paperwork has to be filled out for this.

Motion by Phyllis Forbes and second by Martha Hicks to approve the Motor Vehicle Releases for the month of October 2013 as presented. Motion unanimously approved.

County Manager Updates – Robert Wiseman

Renovation of Courthouse

Nick Montanez, MB Kahn Construction, stated that the overall project schedule is approximately one week behind. However, the contractor has been advised and tomorrow morning they will give us a recovery schedule to get us back on track. The delay is due to the block work on the outside of the building. The interior of the building is progressing ahead of schedule. We are looking at in the next week in the interior of the building we will be seeing a lot of changes with framing. All of the demolition relative to allowing us to proceed with some new work is completed. We will start working with the DA's space and Clerk of Court's space specifically to start standing walls up. I expect this to move fairly quickly. We are still on target to make the commitments for moving the probation offices which is around March 2014. The overall completion date of the project is tentatively July 11, 2014 and a punch list to be completed by August 2014. Mr. Wiseman said we are working the best we can to work toward achieving this timeframe but we are not under a schedule to have that completed and the probation offices moved in. In an effort of good faith and to comply with the needs of LMC, we are working toward giving them basically a \$250,000 piece of property. We are under no deadline. Chairman Poteat questioned if any other departments would be affected by the renovation. Mr. Montanez stated that the Register of Deeds and Inspections will be affected and may be displaced at some point.

Letter of Support – 2014 Single Family Rehabilitation Funds

Mr. Wiseman stated that we are losing the money we have gotten in the past for Scattered Site Housing. This is a letter of support to encourage High Country Council of Governments to pursue any and all funds. This is a way to keep our fingers on a pot of money that will help a lot of Avery Countians.

Motion by Phyllis Forbes and second by Reo Griffith to approve the Letter of Support requested by the High Country Council of Government regarding the 2014 Single Family Rehabilitation Funds. Motion unanimously approved.

Resolution—Designation of Applicants Agent for Public Assistance through FEMA

There has been a declaration for the period of July 3, 2013 through July 13, 2013 from FEMA. The Board needs to designate an agent for Avery County or a contact person to be the focal point for any disaster assistance agreements. This is for public assistance only not individual assistance.

Motion by Glenn Johnson and second by Reo Griffith to designate Tim Greene and Cindy Turbyfill as the applicant's agents for Public Assistance through FEMA. Motion unanimously approved.

Recess

Chairman Poteat called for a 2 minute recess.

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

Public Hearing Regarding the Community Transportation Program for FY 2015—Debbie Smith
Motion by Martha Hicks and second by Reo Griffith to go out of Regular Session and into a time of Public Hearing regarding the Community Transportation Program for FY 2015 at 5:00 p.m. Motion unanimously approved.

Debbie Smith, Avery County Transportation Director, stated that this Public Hearing was to receive public comment on an application for the Community Transportation Program Funding Grant for 2015. The amount has been frozen for the last four years. The grant is for \$226,600 for the administrative section of the grant. There is a 15% local match from the county. There is also a section for capital funding which is \$58,500 with the local match being 10%. The total county match is \$39,840. The Community Transportation Program provides assistance to coordinate existing transportation programs operating in Avery County.

There were no public comments.

Motion by Phyllis Forbes and second by Reo Griffith to go out of Public Hearing and back into Regular Session at 5:10 p.m. Motion unanimously approved.

Motion by Phyllis Forbes and second by Martha Hicks to approve the Resolution regarding the Community Transportation Program and the Local Share Certification for Funding. Motion unanimously approved.

Finance Officer Report – Tim Greene
Budget Amendment #

Tim Greene, Finance Officer, reported that the Avery County Jail requires a \$77,000 budget amendment for medical expenses incurred by several inmates who received treatment at Cannon Memorial Hospital in the 2012/2013 fiscal year. Mr. Greene said that we are just now getting the bills on these expenses. Prime Health has “scrubbed” these bills and they have worked through that process. This is about 20 inmates that this is covering. As you know, when we have inmates in our care if they have any medical issues the taxpayer does pay for that. There were three inmates that required hospitalizations. Mr. Greene said that we budget money for this and this is over and beyond that. Reo Griffith questioned if Avery County had ever tried to recoup from the inmate the expense. Trina Cook, Chief Jailer, stated that she tried to inquire if they have any insurance or anything that she can file. Some of these have been filed on Medicaid. The number of inmates has increased since the new jail has been occupied. There are 47 inmates incarcerated at this time.

Motion by Glenn Johnson and second by Reo Griffith to approve a \$77,000 Medical Expense debit (105200.8000) with an ensuing Fund Balance Appropriation (103990.0000) credit of \$77,000. Motion unanimously approved.

Budget Amendment #

The Avery County Jail has received a US Department of Justice State Criminal Alien Assistance Program grant in the amount of \$2,508.00. This grant is used for correctional purposes only.

Motion by Martha Hicks and second by Phyllis Forbes to approve the Budget Amendment regarding the grant from the US Department of Justice State Criminal Alien Assistance Program with a debit of \$2,508.00 to Security (105200.1475) and a credit of \$2,508.00 to US Department of Justice Grant (103614.0000). Motion unanimously approved.

County Attorney Report – Michaëlle Poore

Michaëlle Poore, County Attorney, reported that there were four appeals scheduled to appear before the Property Tax Commission.

Approval of Minutes

Motion by Martha Hicks and second by Glenn Johnson to approve the October 7, 2013 Regular Session Minutes. Motion unanimously approved.

Agenda Consent Items

Phyllis Forbes commented that there were a couple of letters for conservation of property for North Carolina. The amount of land that is going into conservation and being taken off the tax books is growing everyday which has an impact directly on the taxpayers. There is nothing we can do about but I do want to express my concern about this.

Agenda Consent Items Adopted by Consensus of the Board.

Informational Items

Commissioner Johnson said the resolution included in the informational items regarding the Smoky Mountain Center Board is from Graham County. He said he would like for the Board to consider this and send a similar resolution from Avery County. There was consensus of the board regarding this issue.

Upcoming Meetings

The next regular monthly meeting will be December 2, 2013 at 3:30 p.m.

Adjourn

Motion by Phyllis Forbes and second by Martha Hicks to adjourn this meeting at 5:33 p.m.

**Kenny Poteat, Chairman
Avery County Board of Commissioners**

ATTEST: _____
Cindy Turbyfill, Clerk