

**STATE OF NORTH CAROLINA
COUNTY OF AVERY**

The Avery County Board of Commissioners met in Regular Session on Monday, April 1, 2019 at 3:30 p.m. in the Commissioners Board Room, Avery County Administrative Complex, 175 Linville Street, Newland, NC.

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

Members Absent: Martha Hicks (illness)

Call To Order

Vice-Chair Vance called the meeting to order at 3:30 p.m.

Dennis Aldridge led prayer.

Wood Hall Young, Jr. led the Pledge of Allegiance.

Celebrate County Government

The WAMY Community Action Board was recognized.

Public Comment

Rachel Deal presented a press release to the Board regarding the North Carolina Senior Tar Heel Legislature. Ms. Deal stated that she had met with Warren Daniel, Josh Dobson, and Ray Russell on the second day of the session and advocated for the Senior Tar Heel Legislature's top five priorities which included increase funding for the NC Home and Community Care Block Grant; maintain and increase funding for Senior Center; increase funding for Project Care; strengthen and fund NC's Adult Protective Program; and staff to patient ratios in Nursing Homes.

Board Appointments

There are two applications for appointment on the Morrison Library Board and the AMY Regional Library Board. Both of these applicants will serve on the Morrison Library Board (local board) and the AMY Regional Library Board. The applicants must be a member of a local board to be appointed to the regional board. These applicants are Susie Potter and Kathie Masee.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to appoint Susie Potter and Kathie Masee to the Morrison Library Board and AMY Regional Library Board. Motion unanimously approved with those in attendance (4-0).

The Board will review applicants for the Avery County Transportation Advisory Board and the North Carolina Senior Tarheel Legislature Representatives. These will be considered for appointment at the next regular meeting.

EMS Fee Schedule – Joielle Calhoun

Joielle Calhoun, EMS Support Specialist, reported that Colleton Software, the billing company for Avery EMS, has recommended that Avery County adjust the fee schedules for EMS. The rates for EMS have not been adjusted in the past five years. There is money being left on the table. We are not getting what Medicare pays. For example, the rate for Basic Life Support Emergent currently is \$440.00; the new fee schedule would be \$575.00.

Dennis Aldridge questioned if the proposed fee was in line with the Medicare schedule. Ms. Calhoun stated that yes it was.

Blake Vance questioned if there was any idea what the bottom line difference this would make. Ms. Calhoun answered that if EMS starts today with the new rate it would bring in \$4,000 to \$5,000 a month more. Ms. Calhoun added that she was going to training next week and that there were going to be more changes which could result in the monthly difference being approximately \$8,000 a month. Mr. Vance thanked Ms. Calhoun for recognizing this and bringing to the Board.

Motion by Tim Phillips and second by Wood Hall Young, Jr. to adopt the new EMS Fee Schedule. Motion unanimously approved with those in attendance (4-0).

WAMY Community Action Annual Report – Ashley Cook

Ashley Cook with WAMY Community Action presented an annual report. In 1964 a group of twelve citizens came together to fight against poverty in Watauga, Avery, Mitchell, and Yancey counties. WAMY was chartered as a nonprofit agency and has been at the forefront of fighting poverty for the past 54 years. The funding comes from Federal and State grants, community foundations, and private contributors. Current initiatives include family development, weatherization services, youth development, and food and nutrition services. Ms. Cook's funding request was for \$5,000.

Tax Administrator Report – Bruce Daniels **Tax Collections Report**

The Total Tax Collections for the month of March 2019 is \$628,806.61.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to approve the Tax Collections for the month of March 2019 as presented. Motion unanimously approved with those in attendance (4-0).

We have a little over \$600,000 outstanding for 2018 which is 96.89%. For comparison purposes for 2017 at the same date we were at 96.83% of the collections.

We have brought in an additional \$3,000,000 of delinquent taxes.

Regular Releases

The Regular Releases for the month of March 2019 is \$3,677.98.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to approve the Releases for the month of March 2019 as presented. Motion unanimously approved with those in attendance (4-0).

Refund

The refund being requested is for Eldermann, LLC and is due to an overstatement of acreage on a parcel of land. The refund is \$263.45.

Motion by Tim Phillips and second by Dennis Aldridge to approve the refund of \$263.45 to Eldermann, LLC. Motion unanimously approved with those in attendance (4-0).

Sales

There are 32 qualified sales for March 2019 at 90% as compared to 31 sales March 2018 at 93%.

Resolution for Adoption of the Board of Equalization & Review

WHEREAS, the Avery County Board of Commissioners, pursuant to N.C.G.S. §105-322, have determined to appoint a special Board of Equalization and Review for 2019;
and

WHEREAS, the Board of Commissioners have determined that the qualifications for membership of the Board of Equalization and Review shall be that such individuals shall be owners of property located within Avery County, shall be eighteen years of age or more, shall be citizens and residents of Avery County, and that all shall take the oath of office as prescribed by N.C.G.S. § 105-322 and shall otherwise qualify as required by Article 21 of Chapter 105 of the North Carolina General Statutes.

BE IT FURTHER RESOLVED that membership of said special Board of Equalization and Review shall be determined by the solicitation of applications from qualified applicants for said Board of Equalization and Review, and that their term of office shall continue throughout the calendar year of 2019 as prescribed by N.C.G.S. §105-322, and for such extended times as therein provided, at the rate of ten dollars (\$10.00) per hour.

BE IT THEREFORE RESOLVED that any vacancies which shall exist in the Board of Equalization and Review shall be filled by the then remaining members of the Board by simple majority vote from a list of three names from the list of qualified applicants who are not selected for primary membership in the Board of Equalization and Review, said names to be provided to the remaining members of the Board of Equalization and Review by the County Tax Assessor.

BE IT FURTHER RESOLVED that any appeals any taxpayer may file before the Board of Equalization and Review shall have the right to appeal the decision of the

Board of Equalization and Review to the Property Tax Commission of the Department of Revenue for the State of North Carolina.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to adopt the Resolution to Appoint a Special Board of Equalization and Review. Motion unanimously approved with those in attendance (4-0).

Mr. Daniels stated that due to not having the applications for the Board of E&R before the March meeting, he would request that the Board Policy Section 2.9 be waived to approve the applications for the Board of E&R without reviewing them.

The applicants are: Edith Dedy Traver; Pattie Tennille; Clay Dale; Moses Braswell; Christopher Byars.

Motion by Tim Phillips and second by Dennis Aldridge to waive the Board Policy Section 2.9 and appoint Edith Dedy Traver; Pattie Tennille; Clay Dale; Moses Braswell and Christopher Byars to the Special Board of Equalization & Review for 2019. Motion unanimously approved with those in attendance (4-0).

Mr. Daniels stated that a Board Chair of the Board of E&R would need to be appointed by the Board. Mr. Daniels stated that he would recommend Edith Dede Traver who is the longest serving member.

Motion by Dennis Aldridge and second by Wood Hall Young, Jr. to appoint Edith Dede Traver as Chair of the Board of Equalization and Review. Motion unanimously approved with those in attendance (4-0).

Motion by Tim Phillips and second by Dennis Aldridge to appoint Patti Tennille as Vice Chair of the Board of Equalization and Review. Motion unanimously approved with those in attendance (4-0).

CDBG Neighborhood Revitalization Grant

Phillip Barrier, County Manager, stated that Avery County was awarded the CDBG Neighborhood Revitalization Grant in the amount of \$610,000. There are several documents that need to be approved and authorize the chair to sign.

The following documents need to be approved: Fair Housing Complaint Procedure; Recipient's Plan to Further Fair Housing; Language Access Plan; Local Jobs Initiative Section 3 Plan; Optional Coverage Relocation Benefits Policy; Optional Coverage Relocation Plan Resolution; Procurement Policy for the Community Development Block Grant Program; Resolution for Procurement Plan; Grant Project Ordinance; Residential Anti-Displacement and Relocation Assistance Plan; Section 504 Compliance Officer/Grievance Procedure; Citizen Participation Plan; Code of Conduct Resolution; Complaint Procedure; Equal Employment and Procurement Plan; Analysis of Impediments to Fair Housing; Agreement between the High Country Council of

Government and Avery County; Scope of Services; Assurances of Compliance.

Motion by Wood Hall Young, Jr. and second by Dennis Aldridge to adopt the above list and authorize the Chair to sign. Motion unanimously approved with those in attendance (4-0).

Resolution Supporting Juvenile Crime Prevention Council Allocation Expansion

WHEREAS, Juvenile Crime Prevention Council (JCPC) funding is a partnership between the State of North Carolina and the County to ensure a local continuum of services for court involved and at-risk juveniles; and,

WHEREAS, the Juvenile Crime Prevention Council, under the authority of NCGS§143B-851, and within the scope of its powers and duties, “Each County Council shall annually review the needs of juveniles in the county who are at risk of delinquency or who have been adjudicated undisciplined or delinquent and the resources available to address those needs. In particular, each County Council shall assess the needs of juveniles in the county who are at risk or who have been associated with gangs or gang activity, and the local resources that are established to address those needs,” and,

WHEREAS, the Juvenile Justice Reinvestment Act passed in 2017, also referenced as North Carolina’s Raise the Age legislation, expands the age of juvenile jurisdiction, increasing it to include juveniles ages 16 and 17 years of age effective December 1, 2019; and,

WHEREAS, Raise the Age legislation will increase the need for immediate and age-appropriate sanctions and diversion services for juvenile offenders and those at-risk of delinquency; and,

WHEREAS, JCPC funding has seen no increase in more than nine years; and,

WHEREAS, the effort to immediately and effectively address juvenile offending behavior is an evidence-based investment in North Carolina’s future; and,

WHEREAS, effective intervention and programming reduces detention and youth development commitments as a cost savings to the state and county;

NOW, THEREFORE BE IT RESOLVED, that Avery County fully supports an adequate and timely increase of local Juvenile Crime Prevention funding to ensure program expansion and successful implementation of the Juvenile Justice Reinvestment Act Raise the Age Legislation, set for December 1, 2019.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to Adopt the Resolution Supporting Juvenile Crime Prevention Council Allocation Expansion. Motion unanimously approved with those in attendance (4-0).

Resolution Regarding the Dedication of the Community Room at the New Avery County Aquatic Facility

The County desires to dedicate a room in the aquatic facility to the Wright Family and the Wright Family desires that such room be dedicated to the memory of Thomas Alvin Wright.

WHEREAS, Avery County is constructing a new aquatic facility in Newland, North Carolina; and

WHEREAS, the facility is being constructed upon lands acquired from the Wright family; and

WHEREAS, the Board finds that the Wright family, by selling the real property to the County, made a significant contribution to the ability of the County to develop the facility; and

WHEREAS, to acknowledge the contribution of the Wright family, the County desires to dedicate a room in the aquatic facility to the Wright family, and the Wright family desires that such room be dedicated to the memory of Thomas Alvin Wright; and

WHEREAS, the Board finds that it is appropriate to make an exception to the Avery County Naming Policy to allow the dedication to the minor child of the Wright family;

NOW, THEREFORE, be it resolved that the Avery County Board of Commissioners meeting in regular session on the 1st day of April 2019 hereby approves that the community room in the new Avery County Aquatic Facility be dedicated to Thomas Alvin Wright and be known as the Thomas Alvin Wright Community Room.

Motion by Wood Hall Young, Jr. and second by Dennis Aldridge to adopt the Resolution Regarding the Dedication of the Community Room at the New Avery County Aquatic Facility. Motion unanimously approved with those in attendance (4-0).

Resolution Supporting Local Control of School Calendars

Whereas, the North Carolina General Statutes give local boards of education powers of supervision and control of local school systems; and

Whereas, the local control over establishing school calendars is an integral component of school system supervision and administrative powers with which local boards of education have been vested; and

Whereas, in 2004 the North Carolina General Assembly seized control of setting school calendars and imposed a one-size-fits-all mandate on how school calendars are to be set; and

Whereas, the current one-size-fits-all school calendar start date is no earlier than the Monday closest to August 26 and the end date is no later than the Friday closest to June 11; and

Whereas, the state mandated late August start date means high schools do not complete the first semester until mid to late January; and

Whereas, the current law essentially requires high school students to take first semester exams after the winter break, which negatively impacts test scores, according to students and educators; and

Whereas, the second semester for high schools starts two to three weeks later than community colleges and universities; and

Whereas, superintendents report that the calendar misalignment makes it nearly impossible for high school students or recent winter graduates to take courses at a nearby community college or university during the second semester; and

Whereas, it is well-documented through multiple studies that children will experience a phenomenon known as summer learning loss, which has a disproportionate impact on low-income children; and

Whereas, long summer breaks can also negatively impact child nutrition, as low-income children who have access to regular meals at school through the free and reduced priced meal program may not have access to regular meals at home; and

Whereas, with little flexibility built in to the calendar, scheduling make-up days is extremely challenging; and

Whereas, severe winter snow storms have caused Avery County Schools to miss 46 school days over the past three years; and

Whereas, Avery County Schools was only able to make up 10 missed days over the past three years; and

Whereas, fall sports and band begin August 1, schedules for extracurriculars have not changed to coincide with the State-mandated school calendar; and

Whereas, local boards of education are best equipped to understand the balancing act of meeting the community's needs and maximizing student success; and

Whereas, restoring local control of school calendars will allow local boards of education to best meet the calendar preferences of the families, educators, and businesses in our community while allowing for innovative experimental approaches to improve student achievement.

Therefore, be it resolved that the Avery County Board of County Commissioners support calendar flexibility for Avery County Schools.

Motion by Dennis Aldridge and second by Tim Phillips to adopt the Resolution Supporting Local Control of School Calendars. Motion unanimously approved with those in attendance (4-0).

County Manager Updates – Phillip Barrier

Swimming Pool

Stone veneer is up. Biotention ponds are being constructed. Concrete has been poured around the pool decks. Natural gas lines are in. Pool heater is here and waiting to be installed.

Avery Cares Update

Roundtable discussions are ongoing. We have Recovery in the High Country on Saturdays and Thursday. Next meeting of the Drug Crisis Roundtable is Monday the 8th at 11:00 a.m.

Economic Development Update

Working on an opportunity for the old Lowes Building. The economic development board would like a joint meeting scheduled with the Board of Commissioners.

Riverside EMS Base Needs

We currently have a full crew at the Riverside base 8 hours a day 5 days a week. There is money in this year's budget to place a bigger metal building to house an ambulance 24 hours a day 7 days a week. Also, a new roof for the living quarters and new flooring can be done. This would be approximately \$23,500.

Consensus by the Board to allow \$23,500 to be used for a new metal building to house an ambulance and to replace the roof and new flooring at the Riverside EMS base.

Surplus Property

EMS has a 2008 Chevrolet Chassis that is now declared surplus. The maintenance department at the Avery County Schools is in need of a truck.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to gift/transfer the 2008 Chevrolet Chassis to the maintenance department of the Avery County Schools. Motion unanimously approved with those in attendance (4-0).

Finance Officer Report – Tim Greene

Budget Amendment

The Elections Department needs to purchase an ID card printer in order to print voter photo identification cards. The printer cost will be reimbursed by the NC State Board of Elections.

Motion by Tim Phillips and second by Dennis Aldridge to adopt the Budget Amendment of \$2,000 with a debit of \$2,000 to Capital Outlay (104300.7410) and a credit of \$2,000 to Elections Grant (103705.0000). Motion unanimously approved with those in attendance (4-0).

Budget Amendment

The Emergency Management Department received a NC Tier II Non-Competitive Grant to purchase printers and hazmat mitigation materials. There is no county match.

Motion by Wood Hall Young, Jr. and second by Dennis Aldridge to adopt the Budget Amendment in the amount of \$3,000 with a debit of \$2,000 to Capital Outlay (105250.7400); debit of \$1,000 to Supplies-Hazmat (105250.3310) and a credit of \$3,000 to Emergency Mgmt. Grant (103800.0000). Motion unanimously approved with those in attendance (4-0).

County Attorney Report – Michaelle Poore

Nothing to report that needs any action.

Wood Hall Young, Jr. requested that the Board consider in the future a Resolution that Cherokee County and Pender County was considering that declared a county a gun sanctuary. It mentions several articles of the US Constitution and the NC Constitution and the rights of gun owners. I think this is something that we as a county need to adopt.

Approval of Minutes

Motion by Wood Hall Young, Jr. and second by Tim Phillips to approve the March 4, 2019 Regular Meeting; March 19, 2019 Special Meeting. Motion unanimously approved with those in attendance (4-0).

Agenda Consent Items

Adopted by Consensus of the Board.

Upcoming Meetings

Joint meeting with the Board of Education April 4, 2019; Budget Workshop April 25, 2019.

Adjourn

Motion by Wood Hall Young, Jr. and second by Tim Phillips to adjourn this meeting at 4:32 p.m. Motion unanimously approved with those in attendance (4-0).

Martha Hicks, Chair
Avery County Board of Commissioners

ATTEST: _____
Cindy Turbyfill, Clerk

