

**STATE OF NORTH CAROLINA  
COUNTY OF AVERY**

The Avery County Board of Commissioners met in a Regular Meeting on Monday, June 6, 2016 at 6:00 p.m. in the Commissioners Board Room, Avery County Administrative Complex, 175 Linville Street, Newland, NC.

Members Present: Martha Hicks, Chair; Maxine Laws, Vice-Chair; Faith Lacey; Blake Vance

Members Absent: Reo Griffith

**Call To Order**

Chair Hicks called the meeting to order at 6:00 p.m.

Tim Greene led prayer and also led the audience in the Pledge of Allegiance.

Chair Hicks announced that if anyone would like to speak to an agenda item they must sign up on the sheet with the clerk. She also asked that everyone silence their electronic devices.

**Public Comment**

Kenneth Burgin stated that he lived in Morganton but had a place on Plumtree Creek in Avery County. I got a permit to drill a well. We came back up here last month and we decided not to drill a well and I asked Lee Clark if we could get our \$325 back. Lee told me that he could not give our money back. About three weeks later I got a check from Toe River Health Department for \$70.00. I want to know why I can't get the rest of my money back from the county. I did not get a well drilled or any water.

Tim Greene, County Manager, stated that he would be glad to look into that for Mr. Burgin. Toe River Health District is a tri-county health department that Avery County funds but Avery County is not over them; they are their own entity.

**Board Appointments**

**Child Fatality Board Appointment**

The position on the Child Fatality Board has a requirement that the person be either a firefighter or emergency medical services provider. Mr. Dean Gibbs is both a firefighter and emergency medical services provider.

**Motion by Faith Lacey and second by Blake Vance to appoint Dean Gibbs for the position on the Child Fatality Board. Motion unanimously approved.**

**Review of Boards**

There are applications to review for the following boards:

Avery Airport Authority

Avery County Transportation

Juvenile Crime Prevention Council

Avery Agricultural Advisory Board  
These will be voted on at the next Regular meeting.

**Smoky Mountain LME/MCO—Shelly Foreman**

Shelly Foreman with Smoky Mountain LME/MCO spoke to the Board regarding Smoky Mountain. Smoky Mountain is a local management entity that is a public care management organization. Smoky Mountain's role in this county and 22 other counties in Western North Carolina is to manage both the Medicaid and the state funds for individuals who need mental health, substance use and developmental disability services. Part of the role in managing the funds is to contract with providers to make sure services are delivered. Daymark is the comprehensive care center in Avery County. They are the organization that we give all of the local funds as well as state funds to for your safety net for the community. They have a walk in center to get services they need. They work closely with law enforcement and the hospital. They also ensure that people in need of psychiatric evaluation are able to have those services. They do a wide variety of intensive community based services. Those are services where instead of someone coming into the walk in center, there are lots of services they provide in the community. Smoky Mountain LME/MCO has started a county meeting where we invited stakeholders and we began creating dashboard reports. We email these dashboard reports to the county manager and we are doing it now for every quarter. Ms. Foreman reviewed some of the highlights of the dashboard report and also updated the Board on Medicaid Reform and managing Medicaid. Ms. Foreman stated that Avery County Sheriff Kevin Frye is an advocate and is a leader in the crisis intervention training and working with behavioral health and working to help people get the help they need. His officers and first responders have had crisis intervention training. Ms. Foreman updated the Board on different programs that Smoky Mountain and Daymark are involved in.

Blake Vance thanked Ms. Foreman for what Smoky Mountain does for Yellow Mountain Enterprises. Chair Hicks thanked Ms. Foreman for her report and the comments about the Avery County Sheriff's Department.

**Tax Administrator Report – Phillip Barrier**

**Total Tax Collections**

The total tax collections for the month of May 2016 were \$100,332.16.

**Motion by Blake Vance and second by Maxine Laws to approve the total Tax Collections for the month of May 2016 as presented. Motion unanimously approved with those in attendance (4-0).**

**Regular Tax Releases**

The Regular Tax Releases for the month of May 2016 were \$2,875.34. This covers a 10 year plan.

**Motion by Maxine Laws and second by Blake Vance to approve the Regular Releases for the month of May 2016 as presented. Motion unanimously approved with those in attendance (4-0).**

Mr. Barrier announced that there were 35 sales for the month of May 2016. Things are selling on average 6% of the tax value.

### **County Manager Updates**

#### **Architectural Selection Committees**

Tim Greene, County Manager, stated that a few dates will be given for the architectural selection committees and the clerk will give the committee members a call about that.

#### **Fiscal Year Budget 2016/2017**

Mr. Greene read the following notice regarding the budget for 2016/2017:

*NOTICE OF PUBLIC HEARING BY THE AVERY COUNTY BOARD OF COMMISSIONERS  
& AVAILABILITY OF FY 2016-2017 BUDGET FOR PUBLIC INSPECTION*

#### **AVAILABILITY OF 2016-2017 BUDGET**

*Please be advised that the proposed FY 2016-2017 Budget for Avery County is available for public inspection in the Office of the Clerk to the Board of Commissioners, Room 219, Avery County Administrative Complex, 175 Linville Street, Newland, NC. Office Hours are Monday-Friday, 8:00 a.m. – 4:30 p.m.*

#### **PUBLIC HEARING – FY 2016-2017 BUDGET**

*Be further advised that, as authorized by N.C.G.S. 159-12(b), the Avery County Board of Commissioners will conduct a Public Hearing on the proposed FY 2016-2017 Budget for Avery County. This Hearing will be held on Monday, June 20, 2016 at 6:30 p.m. in the Board Room of the Avery County Board of Commissioners, Avery County Administrative Complex, 175 Linville Street, Newland, NC. The public is invited to attend and comment.*

#### **Personal Property on County Property**

Mr. Greene said it was brought to his attention that there was a citizen's personal property located on county property. He asked that the board by consensus allow him and the county attorney to handle this situation.

**Consensus by the Board to allow the county manager and county attorney handle the situation of personal property being located on county property.**

#### **Veteran's Committee**

Mr. Greene stated that previously the Board of Commissioners had told the Veteran's committee just to get the things done at the veteran's monument and square that were talked about. The last thing that the veteran's committee wanted to do was to put a fence around the perimeter of the property. A couple of commissioners and maybe all of you have seen the sample of the fence. If you would like to look at it there is a sample in my office. Pictures have been sent to the committee and no one has had a

negative comment so unless any commissioner feels like that is something we shouldn't do we will proceed; it is in the overall budget of that project.

**Consensus by the Board to proceed with the fence.**

Mr. Greene stated that Hospice is going to build and donate a gazebo for the square. They are waiting on the third bid.

**Finance Officer Report – Nancy Johnson**

**Budget Amendment**

The Avery County Board of Elections requests a budget amendment for supplies and advertising for the June 7<sup>th</sup> elections.

**Motion by Blake Vance and second by Maxine Laws to adopt the budget amendment of \$11,000 for the Avery County Board of Elections with a debit of \$10,000 to Supplies/Materials (4300.3300); Debit of \$1,000 to Advertising (4300.2600) and a credit of \$11,000 to Wages-Poll Workers (4300.0240). Motion unanimously approved with those in attendance. (4-0)**

**Budget Amendment**

The Avery County Court System needs a budget amendment for \$400.00 for repairs and maintenance of the sound system in the courtroom.

**Motion by Blake Vance and second by Maxine Laws to adopt the budget amendment in the amount of \$400 for the Avery County Court System with a debit of \$400.00 to Supplies-Court Facilities (10.4750.3300) and a credit of \$400.00 to Available for Appropriation (10.7000.6000). Motion unanimously approved with those in attendance (4-0).**

**Budget Amendment**

The Avery County Department of Social Services needs a budget amendment to recognize additional revenue received from the State for Foster Care.

**Motion by Maxine Laws and second by Blake Vance to adopt the budget amendment in the amount of \$84,800 for the DSS Foster Care with a debit of \$84,800 to State Foster Care IV-E Expense (10.6800.6070) and a credit of \$70,160 to Foster Care IV E Revenue (10.3652.0000) and a credit of \$14,640 to Foster Care-State Revenue (10.3635.0000). Motion unanimously approved with those in attendance (4-0).**

**Budget Amendment**

The Public Buildings and Grounds Department need a budget amendment to cover the increased costs of repairs and maintenance and auto supplies for the garage.

**Motion by Maxine Laws and second by Blake Vance to adopt the budget amendment in the amount of \$6400 for the Public Buildings and Grounds**

**Department with a debit of \$2,650 to Repairs and Maintenance (10.5000.1510) and a debit of \$3,750 to Auto Supplies – Garage (10.5000.3350) and a credit of \$6,400 to Available for Appropriations (10.7000.6000). Motion unanimously approved with those in attendance (4-0).**

**County Attorney Report – Gerald McKinney**

Gerald McKinney, County Attorney, advised that there was a letter of support in the packet for Skyline/Skybest to seek funding for internet service in Avery County. Mr. McKinney said that he had reviewed the letter and thought it was fine to send out.

**Motion by Blake Vance and second by Maxine Laws to approve the Letter of Support for Skyline/Skybest in seeking funding for internet service. Motion unanimously approved with those in attendance (4-0).**

**Code of Ethics Policy**

Mr. McKinney stated that on the policy manual regarding ethics we have basically two sets of ethics that were enacted at different times. I think that I have a way to make them be consistent or work with each other. One of the code of ethics is one that the state requires and that is aspirational things; the other one is more rule driven and has procedures for having enforcement if the rules are violated; more conflict of interest rules than anything. I think the one that we enacted first has the rules and the standards and we could rename those Rules of Ethical Conduct and the Enforcement Thereof and then a Code of Ethics and that is a good way to differentiate and keep them both. I would suggest amending the policy to rename that.

Blake Vance requested that the Board look at that in a little more detail.

Mr. Greene said that the county attorney is just asking to rename and keep them both. We certainly do not have to do that at this meeting and can think about it.

**Motion by Blake Vance and second by Maxine Laws to table this issue until another meeting. Motion unanimously approved with those in attendance (4-0).**

Blake Vance requested that a resolution to recognize Corey Pittman's contributions be presented at a future meeting.

**Approval of Minutes**

**Motion by Blake Vance and second by Maxine Laws to approve the Regular Session Minutes for April 4, 2016 and Closed Session Minutes for April 4, 2016. Motion unanimously approved with those in attendance (4-0).**

**Agenda Consent Items**

Adopted by Consensus of the Board.

**Upcoming Meetings**

The next Regular Meeting will be Monday, June 20, 2016 at 6:00 p.m. A public hearing regarding the Fiscal Year Budget for 2016/2017 will be held at 6:30 p.m. The July meeting has been moved to July 5, 2016 on Tuesday because of the Independence Holiday.

**Adjourn**

**Motion by Maxine Laws and second by Blake Vance to adjourn this meeting at 6:53 p.m. Motion unanimously approved with those in attendance.**

---

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

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