

**STATE OF NORTH CAROLINA
COUNTY OF AVERY**

The Avery County Board of Commissioners met in Regular Session on Monday, May 1, 2017 at 3:30 p.m. in the Commissioners Board Room, Avery County Administrative Complex, 175 Linville Street, Newland, NC.

Members Present: Martha Hicks, Chair; Blake Vance, Vice-Chair; Faith Lacey; Tim Phillips; Wood Hall Young, Jr.

Members Absent: None

Call To Order

Chair Hicks called the meeting to order at 3:30 p.m.

Phillip Barrier led prayer.

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

Proclamations and Awards

Resolution Recognizing the Avery County High School Girls Varsity

Basketball Team

Whereas, the Avery County Board of Commissioners takes pride in recognizing the accomplishments of all athletic teams in Avery County; and

Whereas, the Avery County High School Girls Varsity Basketball team made it to the final four of the 2016-17 North Carolina High School 1A State Championship; and

Whereas, the Avery County Board of Commissioners recognizes this great accomplishment; and

Whereas, this brings statewide recognition and distinction to all of Avery County.

Now Therefore, Be It Resolved, that the Avery County Board of Commissioners hereby publicly recognizes and congratulates the Avery County High School Girls Varsity team on making it to the final four of the 2016-17 North Carolina High School 1A State Championship.

Motion by Blake Vance and second by Tim Phillips to adopt the Resolution Recognizing the Avery County High School Girls Varsity Basketball Team. Motion unanimously approved.

Resolution Recognizing the Avery County High School Boys Varsity Basketball Team

Whereas, the Avery County Board of Commissioners takes pride in recognizing the accomplishments of all athletic teams in Avery County; and

Whereas, the Avery County High School Boys Varsity Basketball team made it to the elite eight of the 2016-17 North Carolina High School 1A State Championship; and

Whereas, the Avery County Board of Commissioners recognizes this great accomplishment; and

Whereas, this brings statewide recognition and distinction to all of Avery County.

Now Therefore, Be It Resolved, that the Avery County Board of Commissioners hereby publicly recognizes and congratulates the Avery County High School Boys Varsity team on making it to the elite eight of the 2016-17 North Carolina High School 1A State Championship.

Motion by Blake Vance and second by Tim Phillips to adopt the Resolution Recognizing the Avery County High School Boys Varsity Basketball Team. Motion unanimously approved.

Resolution Recognizing the Avery County High School Wrestling Team

Whereas, the Avery County Board of Commissioners takes pride in recognizing the accomplishments of all athletic teams in Avery County; and

Whereas, the Avery County High School Wrestling Team placed second at the 2016-17 NCHSAA Individual State Wrestling Championship in the 1A division; and

Whereas, the Avery County Board of Commissioners recognizes this great accomplishment; and

Whereas, this brings statewide recognition and distinction to all of Avery County.

Now Therefore, Be It Resolved, that the Avery County Board of Commissioners hereby publicly recognizes and congratulates the Avery County High School Wrestling Team on placing second at the 2016-17 NCHSAA Individual State Wrestling in the 1A division.

Motion by Blake Vance and second by Tim Phillips to adopt the Resolution Recognizing the Avery County High School Wrestling Team. Motion unanimously approved.

Public Comment

Reverend Ted Henry, board member of Hospitality House of the High Country, spoke to the Board about the Hospitality House. During the 2016 calendar year Hospitality House provided 1,697 nights of shelter to 29 individuals of Avery County at a cost of \$56,000. The grant request that you received a few weeks back asked for an investment for the life of one person for one year at the Hospitality House. Full supportive services for one person is 33 dollars a day or \$12,035 a year. The funding that you supply allows us to leverage our federal and state funding. Mr. Henry thanked the Board for their support in the past and stated that he looked forward to their support in the future.

Blake Vance commented that through the new use of technology with the Board, the clerk saved 700 pages of paper and 3 hours of work time. Our investment of technology is beginning to pay for itself.

Faye Lacey thanked Mr. Henry for coming before the Board regarding Hospitality House and that he had her full support.

Board Appointments

Child Fatality Board

Motion by Tim Phillips and second by Blake Vance to appoint Tiffany Moon to the Child Fatality Board. Motion unanimously approved.

Avery County Planning Board

There are three positions open on the Avery County Planning Board. At the last meeting, the Board decided to advertise one of the positions again. There were no more applications received.

Faith Lacey stated that six years is up and it has been the policy of the Board that she goes off and stays off a year and then she can come back. I don't think we need to be changing the policy every time we run up on something we don't like. If we are going to do that lets just throw out the policy. Everyone else goes off their boards. The North Carolina Constitution says that you pass it around. Let her go off.

Motion by Wood Hall Young, Jr. and second by Blake Vance to appoint Cheryl Buchanan; Geanna Anderson; Bradley Calhoun to the Avery County Planning Board for a term of three years; the requirement of six years will be waived because there are no other applicants to replace Cheryl Buchanan.

VOTE: Motion passes 4 to 1.

FOR: Martha Hicks; Blake Vance; Tim Phillips; Wood Hall Young, Jr.

AGAINST: Faith Lacey

Ms. Lacey stated she was just against the one that had served the six years.

Avery County Economic Development Committee

There are nine applicants for the Avery County Economic Development Committee. The applicants are: Bill Bailey; Larry Hazen; Carmen Lacey; Trey Oakley; Mark Ray Parlier; Roy B. Reynolds; Susan Siirila; Veronica Strong; Kenneth Walter.

The Ballots were handed out to each Commissioner. Each Commissioner will vote with their top choice being given a 1 and their lowest choice a 9. Each Commissioner will sign and date the ballots. The ballots will be on file in the clerk's office for public inspection and be included in the minutes.

Recess

Chair Hicks called for a brief recess to tally the votes.

Chair Hicks declared the meeting to be back in session after a brief recess.

The seven members of the Avery County Economic Development Committee are Larry Hazen; Carmen Lacey; Trey Oakley; Mark Ray Parlier; Roy B. Reynolds; Susan Siirila; Kenneth Walter.

Motion by Blake Vance ad second by Wood Hall Young, Jr. to appoint Larry Hazen; Carmen Lacey; Trey Oakley; Mark Ray Parlier; Roy B. Reynolds; Susan Siirila; Kenneth Walter to the Avery County Economic Development Committee. Motion unanimously approved.

Bill Bailey 39 votes (1 sixth place, 3 eighth place, 1 ninth place)
Larry Hazen 29 votes (1 fourth place, 1 fifth place, 1 sixth place, 2 seventh place)
Carmen Lacey 12 votes (1 first place, 2 second place, 1 third place, 1 fourth place)
Trey Oakley 23 votes (1 first place, 2 fourth place, 2 fifth place, 1 ninth place)
Mark Ray Parlier 15 votes (2 first place, 2 third place, 1 seventh place)
Roy B. Reynolds 26 votes (1 third place, 1 fourth place, 1 fifth place, 1 sixth place, 1 eighth place)
Susan Siirila 14 votes (3 second place, 1 third place, 1 fifth place)
Veronica Strong 36 votes (1 fifth place, 1 sixth place, 1 seventh place, 2 ninth place)
Kenneth Walter 31 votes (1 first place, 1 sixth place, 1 seventh place, 1 eighth place, 1 ninth place)

Martha Hicks voted as follows: Trey Oakley 1; Susan Siirila 2; Mark Ray Parlier 3; Carmen Lacey 4; Veronica Strong 5; Bill Bailey 6; Larry Hazen 7; Roy B. Reynolds 8; Kenneth Walter 9

Blake Vance voted as follows: Mark Ray Parlier 1; Susan Siirila 2; Carmen Lacey 3; Trey Oakley 4; Larry Hazen 5; Roy B. Reynolds 6; Kenneth Walter 7; Bill Bailey 8; Veronica Strong 9

Faith Lacey voted as follows: Kenneth Walter 1; Carmen Lacey 2; Roy B. Reynolds 3; Larry Hazen 4; Susan Siirila 5; Veronica Strong 6; Mark Ray Parlier 7; Bill Bailey 8; Trey Oakley 9

Tim Phillips voted as follows: Carmen Lacey 1; Susan Siirila 2; Mark Ray Parlier 3; Trey Oakley 4; Roy B. Reynolds 6; Veronica Strong 7; Kenneth Walter 8; Bill Bailey 9

Wood Hall Young, Jr. voted as follows: Mark Ray Parlier 1; Carmen Lacey 2; Susan Siirila 3; Roy B. Reynolds 4; Trey Oakley 5; Kenneth Walter 6; Larry Hazen 7; Bill Bailey 8; Veronica Strong 9

Chair Hicks asked for two commissioner representatives to be on the Avery County Economic Development Committee. These are non-voting ex-officio members. Blake Vance and Tim Phillips volunteered.

Motion by Wood Hall Young, Jr. and second by Martha Hicks to appoint Blake Vance and Tim Phillips as the two non-voting ex-officio commissioner representatives to the Avery County Economic Development Committee.

VOTE: Motion passes 4 to 1.

FOR: Martha Hicks; Blake Vance; Tim Phillips; Wood Hall Young, Jr.

AGAINST: Faith Lacey

YMCA Updates- Trey Oakley

Trey Oakley, YMCA Director, stated that the mission statement for the YMCA is to put Christian principles into practice through programs that build a healthy spirit, mind and body for all. The primary focus for my being here today is to show what "for all" means and to discuss maybe some misconceptions that may be going around the community. In 2010, the YMCA was only providing \$60,000 in scholarships; in 2016, the Y provided \$170,000 and in 2017 we forecast to provide \$315,000 of free and reduced scholarships for membership fees, services, etc.

In youth development we are going to increase our youth sports participation by partnering with Little League. We have met with Shannon Cook and she will work with the Y to provide a second baseball and softball season that will start the middle of June and last all the way through August to give our kids another opportunity. We are in the process of acquiring a 1.2 million dollar grant for our summer camp, after school and prekindergarten programs that would primarily allow Avery County children of need of little or no cost. We will continue to grow our Youth in Government program. This year we took 10 kids to Raleigh. We hope to grow that number where they can write their own bills and able to have conversations back and forth and debate. This next year we want to provide a trip to Washington, DC.

It is the tenth year of our Splash program. That program teaches every pre K and second grade student in Avery County how to swim at no cost to them.

Mr. Oakley gave examples of other programs that the YMCA participates in. Mr. Oakley thanked the commissioners for their continued support for the YMCA.

Blake Vance thanked Mr. Oakley for working with 4H to use the pool at the YMCA.

Avery County Solid Waste—Comingling Recycling – Eric Foster

Eric Foster, Avery County Solid Waste Director, explained that in 2014/2015 Avery County applied for a grant to purchase new compactor units. This grant had to be used toward comingling recycling which meant that the citizens could recycle plastic, aluminum, paper, cardboard, and metal cans in one receptacle. We currently have four units, one at Linville, one at the Three Lane, one at Banner Elk and one at Three Mile. With the compactors, we have seen an increase in recycling and considerable savings. We have made 62 trips this year compared to 322 trips previously. Mr. Foster also gave some other examples of savings with fuel, etc.

Mr. Foster stated that he would like to place additional comingled recycling compactors at the Altamont and Plumtree sites to further reduce the costs. I would like to seek out grants and have applied for a grant that would help with the purchase of these compactors.

Chair Hicks questioned how much the grant was for. Mr. Foster said that it would be \$11,415. We have to match \$2300 dollars.

Resolution Authorizing the Lease of Property to Daymark Recovery Services

This Resolution was considered at the last Board meeting but it was the consensus of the Board to change the lease to three years instead of five years. This was re-advertised. We receive \$2,000 per month.

Motion by Blake Vance and second by Wood Hall Young, Jr. to adopt the Resolution Authorizing the Lease of Property to Daymark Recovery Services for a period of three years.

VOTE: Motion carries 4 to 1.

FOR: Martha Hicks; Blake Vance; Tim Phillips; Wood Hall Young, Jr.

AGAINST: Faith Lacey

Tax Administrator Report – Phillip Barrier

The Tax Collections for the month of April 2017 is \$166,566.15.

Motion by Blake Vance and second by Tim Phillips to approve the Tax Collections Report for the month of April 2017 as presented. Motion unanimously approved.

Regular Releases

The Regular Releases for the month of April 2017 are \$12.00.

Motion by Wood Hall Young, Jr. and second by Blake Vance to approve the Regular Releases for the month of April 2017 as presented. Motion unanimously approved.

Refunds

There are two refunds for the month of April 2017; \$311.86 and \$32.19.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to approve the refunds of \$311.86 and \$32.19 for the month of April 2017 as presented. Motion unanimously approved.

Mr. Barrier reported the total sales for April 2017 which was 31 sales as compared to 33 sales last year.

County Manager Updates – Phillip Barrier

Tax Administrator Position

The Tax Administrator position has been advertised. We have ten applications so far. We will begin interviews in the near future.

Agricultural Building Meeting

The maintenance department met with the architects regarding the mechanical/facility maintenance in March. They have worked out the heating and air system and what works in Avery County.

Swimming Pool Project

There will be a meeting on May 8, 2017 at 9:00 a.m.

Mapping Department

During the budget process, it became apparent that we would like to take the mapping department and combine it with the Tax Administrator Department.

Consensus by the Board to combine the Mapping Department into the Tax Administrator Department.

Proclamations and Awards

Consensus by the Board to recognize employees under Proclamations and Awards.

Finance Officer Report – Nancy Johnson

Budget Amendment

The Juvenile Crime Prevention Council has been awarded additional state funding (\$5,730); the county match is thirty percent (\$1,711).

Motion by Blake Vance and second by Tim Phillips to adopt the budget amendment to recognize additional funding for JCPC in the amount of \$7414.00 with a debit of \$6,289.00 to Juv Svs—

Crossnore School (107000.6121); debit of \$1,125.00 to Adolescent Sub. Abuse Life Skills (107000.6148) and a credit of \$4,838.00 to Juvenile Serv.-Crossnore (103491.0000); credit of \$865.00 to Juvenile-Adolescent Life Skills (103490.0000); credit of \$1,711.00 to Appropriated Fund Balance (103990.0000). Motion unanimously approved.

Budget Amendment

The Avery County Sheriff's Office requests a budget amendment to recognize insurance funds received from vehicle repairs.

Motion by Wood Hall Young, Jr. and second by Blake Vance to adopt a budget amendment in the amount of \$1,319.00 for receipt of insurance funds for the Sheriff's Office with a debit of \$1,319.00 to Auto Supplies (105100.3100) and a credit of \$1,319.00 to Insurance Reimbursements (103340.0000). Motion unanimously approved.

Budget Amendment

A budget amendment is needed for demolition costs, removal and other fees associated with clearing the property beside the courthouse (old Kelly Johnson property).

Motion by Blake Vance and second by Tim Phillips to adopt a budget amendment for demolition costs, removal, and clearing property, etc. for property beside the courthouse in the amount of \$50,000 with a debit of \$50,000 to Capital Outlay—Kelly Johnson Property (105000.7425) and a credit of \$50,000 to Appropriated Fund Balance (103990.0000). Motion unanimously approved.

Budget Amendment

Avery County Senior Services requests a budget amendment recognizing a reimbursement received for fundraising food purchased.

Motion by Tim Phillips and second by Wood Hall Young, Jr to adopt the budget amendment recognizing a reimbursement received for fundraising food purchased in the amount of \$750.00 with a debit of \$750.00 to Supplies—Food (105960.4700) and a credit of \$750.00 to Senior Services (103670.0000). Motion unanimously approved.

Budget Amendment

The Board of Commissioners department needs a budget amendment for Assistant County Manager position salary.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to adopt the budget amendment for Assistant County Manager position salary in the amount of \$2500 with a credit of \$2,110.00 to Salary (104100.0210); \$160.00 to FICA (104100.0500); \$160.00 to Retirement (104100.0600); \$70.00 to 401K (104100.0800) and a credit of \$2,500.00 to Appropriated Fund Balance (103990.0000). Motion unanimously approved.

Budget Amendment

The Department of Social Services requests a budget amendment to recognize additional revenue received through the State of North Carolina for Daycare and Smart Start.

Motion by Wood Hall Young, Jr. and second by Blake Vance to adopt a budget amendment to recognize additional revenue for Daycare and Smart Start in the amount of \$59,219.00 with a debit of \$50,443.00 to Daycare (10.6140.2000); debit of \$8,776.00 to Smart Start (10.6140.2010) and a credit of \$59,219.00 to Daycare Revenue (10.3631.0000). Motion unanimously approved.

Budget Amendment

The Avery County Administration Department requests a budget amendment for the County Manager Position. This is payout for vacation time.

Motion by Wood Hall Young, Jr. and second by Blake Vance to adopt the Budget amendment in the amount of \$17,100 for payout for vacation time with a debit of \$14,000.00 to Salary-Administration (10.4200.0200); debit of \$1,075.00 to FICA (10.4200.0500); debit of \$1,500.00 to Retirement (10.4200.0600); debit of \$525.00 to 401K (10.4200.0800) and a credit of \$17,100.00 to Appropriated Fund Balance (10.3990.0000). Motion unanimously approved.

Budget Amendment

The Public Buildings and Grounds Department requests a budget amendment for cleaning supplies. Additional mats were added to the Cintas contract with additional charges and more cleaning supplies are needed for employees.

Motion by Tim Phillips and second by Wood Hall Young, Jr to adopt the Budget amendment for cleaning supplies in the amount of \$7,000.00 with a debit of \$7,000.00 to Cleaning Supplies (105000.3300) and a credit of \$7,000.00 to Appropriated Fund Balance (103990.0000). Motion unanimously approved.

Signature Cards

The signature cards for Avery County's bank accounts with Wells Fargo and United Community Bank need to be updated. Request the Board approve the following signers:

Board Chair –Martha J. Hicks; Interim County Manager—Phillip L. Barrier, Jr.; Finance Officer—Nancy C. Johnson

Motion by Wood Hall Young, Jr. and second by Blake Vance to approve the above signers to the Wells Fargo and United Community Bank. Motion unanimously approved.

County Attorney Report – Michaëlle Poore

Ms. Poore stated that the only matter she had to address the Board with would be in Closed Session.

Closed Session

Motion by Blake Vance and second by Wood Hall Young, Jr. to go into Closed Session at 4:52 p.m. regarding Acquisition of Property G.S. 143-318.11 (a)(5). Invitees are the Board, County Attorney, County Manager, Clerk. Motion unanimously approved.

Chair Hicks called the meeting back into Regular Session after a time of Closed Session. During Closed Session, no vote was taken.

Amend the Agenda

Motion by Blake Vance and second by Wood Hall Young, Jr. to amend the agenda to include discussion of the Mike Lacey Property adjacent to the Johnson Property. Motion unanimously approved.

Ms. Poore, County Attorney, explained that there were two pieces of property owned by Mike Lacey; he owns one lot 100% and ½ undivided interest in another lot and that is co-owned with Kelly Johnson. There is a proposed purchase contract for Mr. Lacey and his wife to sell those two tracts of land to the County of Avery and the offer is for \$25,700 for his interest in those two tracts. There is a proposed resolution for the Board to consider. The only language that is not included in the purchase contract that I think the Board would want to include before the Board would authorize it is that the contract would be contingent on the County first obtaining title to the Kelly Johnson property and it would be ok for those to happen simultaneously. That is included in the resolution for the Board to consider. Also for the Board's reference there is a draft for a proposed deed to the county. Ms. Lacey also wanted the public to know that she is related to Mike Lacey but she does not have financial interest in this property.

Faith Lacey stated that she would like for the Board to vote on recusing her.

Blake Vance asked if there was any need for recusal.

Michaëlle Poore, County Attorney, stated that it was her understanding that Ms. Lacey does not have any interest in the property but Ms. Lacey has asked for recusal so it is in the Board's hands right now.

Ms. Poore stated that per the statute recusal is only if you are obtaining a direct financial benefit. Family member only comes into play when it is husband and wife.

Ms. Poore agreed with Blake Vance that it would be against the general statute to recuse Ms. Lacey.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to adopt the Resolution to purchase the Lacey property and authorize execution of the documents. Motion unanimously approved.

Approval of Minutes

Motion by Blake Vance and second by Tim Phillips to approve the January 17, 2017 Special Joint Meeting with the BOE; January 23, 2017 Special Meeting – Ag. Bldg; February 9, 2017 Board Workshop; February 23, 2017 Special Meeting Ag. Bldg; March 15, 2017 Special Meeting— Personnel; March 15, 2017 Closed Session; March 30, 2017 Special Joint Meeting with BOE.

Agenda Consent Items

Adopted by Consensus of the Board.

Upcoming Meetings

May 8, 2017 at 9:00 a.m. Swimming Pool Meeting.

May 16, 2017 at 5:00 p.m. Budget Workshop with Sheriff, Fire Commission, BOE

May 18, 2017 at 3:30 p.m. Budget Workshop

Adjourn

Motion by Blake Vance and second by Wood Hall Young, Jr. to adjourn this meeting at 5:17 p.m.

Motion unanimously approved.

Martha Hicks, Chair
Avery County Board of Commissioners

ATTN: _____
Cindy Turbyfill, Clerk