

**STATE OF NORTH CAROLINA
COUNTY OF AVERY**

The Avery County Board of Commissioners met in Regular Session on Monday, November 2, 2009 at 3:30 p.m.. in the Commissioners Board Room, Avery County Administrative Complex, 175 Linville Street, Newland, NC.

Members Present: Kenny Poteat, Chairman; Scott Heath; Martha Hicks; Glenn Johnson

Members Absent: Phyllis Forbes (due to family illness)

Call To Order

Chairman Poteat called the meeting to order at 3:30 p.m.

Glenn Johnson led prayer.

Chairman Poteat stated that there would be a time of public comment but if someone wanted to speak to an agenda item they must sign up on the sign-up sheet with the clerk.

Robert Wiseman, County Manager, asked for a shift in the agenda for Dr. Suzanne Owens to speak before the Tax Collector Report.

Public Comment

Sam Calvert, Avery Airport Authority Chairman, presented a framed picture of the Avery County Airport to the Commissioners.

Rachel Deal invited everyone to the Veteran's breakfast on Friday morning at the Senior Center.

Sam Ray reported that Rachel Deal had received the distinguished citizen award from Mayland Community College.

Toe River Health District

Robert Wiseman, County Manager, stated that Susan Pittman represented Avery County on the Toe River Health District Board and that she had relinquished that position. He said that an application had been received from Roger Wise. Chairman Poteat stated that the Board could not find a better applicant anywhere.

Motion by Glenn Johnson and second by Scott Heath to appoint Roger Wise to the Toe River Health District Board for a three year term. Motion unanimous with those in attendance (4-0).

Golden Leaf Grant – Mayland Community College

Dr. Suzanne Owens, Mayland Community College President, stated that a letter of continued commitment had been sent to the Golden Leaf Foundation and that now there were concerns that the Golden Leaf Foundation was giving Mayland \$200,000 without any additional funding and they are concerned that the facility will not be in the condition it should be. Dr. Owens advised that Mayland is trying to assure the Golden Leaf Foundation that with the \$200,000 grant that Mayland will be able to build the walls between the classrooms, have dropped ceilings, change the lighting and have ADA bathrooms and office space. The architects have been working on the plans and these will be presented on the 10th of November and put out for bids on the 11th of November. It is intended that the Golden Leaf Grant be used for renovation of the inside of the building and Avery County be willing to complete the project with the roof. Dr. Owens said she was requesting a letter of intent from Avery County to complete the project to hopefully secure the grant and start construction. Chairman Poteat questioned if \$30,000 would be sufficient which would be 15% of the grant. Robert Wiseman, County Manager, stated that this is a letter of intent and if the financial situation would be different at the next fiscal year that the county would be under no legal obligation.

Motion by Martha Hicks and second by Glenn Johnson for a letter of intent to be sent to the Golden Leaf Foundation to aid the construction and renovation of the Avery Vocational Building at the Avery Campus of Mayland Community College and to extend up to \$30,000 to enable Mayland Community College to obtain the grant from the Golden Leaf Foundation.

Tax Collector Report – Mary Daniels

Mary Daniels, Tax Collector, reported that the total tax collections for the month of October 2009 were \$842,541.76.

Motion by Scott Heath and second by Martha Hicks to approve the Tax Collector's Report for October 2009 as presented. Motion unanimously approved with those in attendance (4-0).

Tax Assessors Report – Phillip Barrier

Real and Personal Releases

Phillip Barrier, Tax Assessor, reported that the Real and Personal Releases were County Tax \$540.70; Fire Tax \$58.37.

Motion by Martha Hicks and second by Scott Heath to approve the Real and Personal Releases for October 2009 as presented. Motion unanimous with those in attendance (4-0).

Motor Vehicle Releases

The Motor Vehicle Releases for the month of October were County Tax \$12.89 and Fire Tax \$1.39.

Motion by Glenn Johnson and second by Martha Hicks to approve the Motor Vehicle Releases for October 2009 as presented. Motion unanimous with those in attendance (4-0).

Mr. Barrier stated that the property sales for the month of October were approximately 8.7 million dollars.

Adoption of Schedule of Values for 2010 Revaluation

Mr. Barrier stated there had not been any opposition to the Schedule of Values and that today would be step 3 in the process of the Revaluation for 2010 which would be to adopt the schedule of values.

Motion by Scott Heath and second by Glenn Johnson to adopt the 2010 Schedule of Values. Motion unanimous with those in attendance (4-0).

Smoky Mountain Center – Suzy Long

Suzy Long, Smoky Mountain Center, gave the Board an update on the Smoky Mountain Center. She reported that in the 2009 session of the NC Legislature, the General Assembly took action that eliminated community support as service that was funded under the Medicaid Plan and the fund that provides state funds for indigent mental health and substance abuse citizens. She stated that this action would have serious impact on the state mental health system. Ms. Long advised that the Smoky Mountain Center had a 25% cut in their budget which was approximately 5.7 million dollars. Ms. Long reported that a new CEO, Bryan Ingram, had been hired for Smoky Mountain Center.

Behavioral Health Services – Bob Wilson

A power point presentation regarding the Behavioral Health Services was presented by Bob Wilson, Sheriff Kevin services. Sheriff Kevin Frye explained how citizens entered the crisis system and how the Mobile Crisis Team was involved.

Recess

3 minute recess at 5:02 p.m.

Chairman Poteat stated that the Board was back in session after a brief recess.

County Manager Updates – Robert Wiseman

State Mandate Accommodations for Probation Offices

The County Manager stated that there may be several options regarding accommodations for the probation offices and by the next meeting there may be a possibility of going into executive session to discuss the property.

Annual Policy Review

The clerk is working on a draft of revisions for the Board of Commissioners Policy Manual.

Turn Lanes at the New Banner Elk School

The County Manager stated that he had a meeting in the morning with Jeff Hurd, Danny Clark, and the architect to discuss some of the issues regarding the turn lanes.

Heritage Park

The County Manager stated that there was a problem at Heritage Park with water being diverted into a gully and the Department of Environmental and Natural Resources visited Heritage Park and advised that there needed to be an engineer to draw up plans to eliminate this problem. Tommy Burleson drew up a plan and sent it to the Soil and Erosion Division and they approved the plan. Wyatt Aldridge Construction was working at the new location of the Humane Society and hauled 10-12 loads of dirt to Heritage Park which has helped with the erosion situation.

Finance Office Report- Tim Greene

Budget Amendment #

The Department of Social Services has been awarded \$45,000.00 from the NC Department of Health and Human Services to be used to enhance the adoption services program,

Motion by Martha Hicks and second by Glenn Johnson to approve the Budget Amendment for the Department of Social Services of \$45,000 regarding the enhancement of the adoption services program with a debit of \$45,000.00 to Adoption Assistance IV-E (106800.6020) and a credit to Adoption-Vendor Payments (103654.0000). Motion unanimous with those in attendance (4-0).

Budget Amendment #

The NC Department of Corrections has increased the Criminal Justice Partnership Program (CJJP) grant by an additional \$2,395 bringing the total to \$53,649 for the fiscal year 2009-10. The additional increase will be used for personnel and equipment expenses.

Motion by Scott Heath and second by Martha Hicks to approve the Budget Amendment for the Criminal Justice Partnership Program grant of \$2,395 with a debit to NC DOC CJJP – Program (105950.3490) of

\$2,395.00 and a credit to NC DOC CJJP – Revenue (103901.0000) of \$2,395.00 Motion unanimously approved with those in attendance (4-0).

Budget Amendment #

The Senior Center has received \$2,625.00 from the NC Department of Insurance to be used for counseling Medicare recipients.

Motion by Glenn Johnson and second by Scott Heath to approve the Budget Amendment for the Avery Senior Center from the NC Department of Insurance to be used for counseling Medicare recipients with a debit to Salaries –Other (105960.0210) of \$2,080.00, FICA-Administration (105960.0500) of \$159.00, Travel (105960.1400) of \$361.00 and Supplies (105960.3300) of \$52.00 and a credit to Senior Services- State Grant (103671.0000) of \$2,652.00. Motion unanimous with those in attendance (4-0).

Budget Amendment #

The Finance Officer stated that at the October 19, 2009 the Board voted to move \$1,140,000 from capital reserve to the Banner Elk School Project Fund so there would need to be a budget amendment. This is similar to the Project Ordinance that we did in June about the Banner Elk School Project but the only numbers that have been changed are the transfer from the Capital Reserve Fund which now shows \$4,173,000. This incorporates the extra \$1,140,000. The proceeds from the sale of property were taken out of the revenue line item and put into the loan. That is not saying we are borrowing that much money, we are just taking that financing source out of the original project fund. The Finance Officer stated that he was going to leave the Project Ordinance at the original amount. The \$1,860,000 is moving out of the school proceeds and moving into the loan proceeds. Chairman Poteat advised that we are not going above the 9.4 million dollars on the Banner Elk School Project. Chairman Poteat stated that he sees no personal problem with approving the capital project ordinance today. Scott Heath stated he was not sure that he understood this. Chairman Poteat stated that this could wait until the December meeting after some of the questions were cleared up.

Motion by Scott Heath and second by Glenn Johnson to approve the transfer of \$1,140,000 from the Capital Reserve Fund to the Banner Elk School Fund deleting the \$1,860,000 (or remainder of the budget amendment in order) to enable the county to proceed with the project ordinance for the Banner Elk School Fund. Motion unanimously approved as amended (4-0).

The Finance Officer stated that it is the time of year to sign a contract with an auditor and last year it was suggested by the Board to put the audit out for bids. Gillespie, Young and Miller have been the auditor for several years. Scott Heath stated that it does become cumbersome to put this out for bids every year but if it has been a while and might benefit the county to put this out for bids. Mr. Heath said that the lowest bid sometimes is not always the best. The County Manager advised that the audit firm employed must be approved by the Local Government Commission. He stated that Gillespie, Young and Miller have done a great job. The Finance Officer advised that Gillespie, Young and Miller had committed to no increase in the price for the next audit. Chairman Poteat advised the Finance Officer to seek some bids regarding the audit.

County Attorney Report – Michaele Poore

Michaele Poore, County Attorney, stated that there was nothing that requires board action today. The first sell of property is scheduled for next month if the taxes have not been paid.

Approval of Minutes

Motion by Martha Hicks and second by Glenn Johnson to approve the minutes for the joint meeting with the BOE September 21, 2009; Special Meeting at the Avery Airport October 1, 2009; and Regular Meeting October 5, 2009. Motion unanimously approved with those in attendance (4-0).

Agenda Consent Items

Agenda Consent Items Adopted by Consensus.

Upcoming Meetings

Joint Meeting with the BOE and BOC at 4:00 p.m. on November 23, 2009.

Adjourn

Motion by Scott Heath and second by Glenn Johnson to adjourn this meeting at 5:40 p.m. Motion unanimously approved with those in attendance (4-0).

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

ATTEST: _____
Cindy Turbyfill, Clerk