

**STATE OF NORTH CAROLINA
COUNTY OF AVERY**

The Avery County Board of Commissioners met in Regular Session on Tuesday, September 4, 2007 at 3:00 p.m. in their offices, Avery County Administrative Complex, Newland, NC.

Members Present: Kenny Poteat, Chairman; Susan Pittman, Vice-Chair; Phyllis Forbes, Dan South and Scott Heath

Members Absent: None

Call to Order

Chairman Poteat called the meeting to order at 3:07 p.m.
Prayer was offered by Scott Heath.

There were no comments from the public.

Chairman Poteat commented that he would like to reaffirm what has been done at a prior meeting regarding the Fire Commission and the appointment of a member to that board. He apologized for the methodology used by this Board for that vote. It was perceived to be a secret vote, which was never the intention of this Board, Poteat said. For the past 6 or 7 years we have followed the same procedure for voting on appointments, which I have found to be a very good procedure and has worked very well. We have gone through more than one attorney in that time and no one has ever questioned it before. However, it has been brought to our attention that our method was illegal, and that matter has now been taken care of.

Poteat then read aloud from *G.S. 143-318.13b, entitled Rule 24 – Prohibition of Secret Voting. This statute says that no vote may be taken by secret ballot. It states that if the Board votes by written ballot, then each member must sign his/her ballot and the Minutes shall record the vote of each member.* (This has now been done and is available for public inspection in the Clerk's Office, Poteat said.) *It also says that these ballots shall be retained and made available for public inspection until the Minutes of that meeting have been approved, at which time the ballots may be destroyed.*

Poteat said that the Board has now complied with this statute. He again apologized for the confusion and advised that the Board will use the correct procedure from now on.

Chairman Poteat then read aloud the vote tally from the Minutes of the Board on August 20, 2007 in regard to the Fire Commission appointment. Commissioners Poteat, South & Heath gave Daryl Smith a 1st place vote. Commissioner Pittman gave Bill Beuttell a 1st place vote. Commissioner Forbes was not in attendance. The vote was 3-1 for Daryl Smith.

Breakdown of the vote tally was as follows: (low score wins)

Daryl Smith received a score of 5 (3 first place votes and 1 second place vote)

Jake Owens received a score of 9 (3 second place votes and 1 third place vote)

Bill Beuttell received a score of 10 (1 first place vote and 3 third place votes).

Board Appointments

DSS Board Appointment

Robert Wiseman advised that Mr. Gary Edwards has resigned from the DSS Board and that his position needs to be filled. We have 3 applicants for the position: Bob Austin, Cheryl Buchanan and Floyd Townsend.

The current members on the DSS Board are Phyllis Forbes, Jayne McNeil, Sandra Phillips and Wayne Johnson.

Brief discussion was held on the 3 candidates for the position. The Chairman then asked the Board to vote on the ballots provided for their first, second and third choices (low vote wins).

The Chair then called for a Recess in order to tally the votes.

Following a brief Recess, the Chairman reported the following vote:

Mr. Floyd Townsend has been selected with a total of 9 votes (2 first place votes; 2 second place votes and 1 third place vote); second place was Cheryl Buchanan with 10 votes (2 first place votes; 1 second place vote and 2 third place votes); Bob Austin was in third place with a total of 11 votes (1 first place vote; 2 second place votes and 2 third place votes).

Commissioners Poteat and Heath gave Floyd Townsend a first place vote;

Commissioners Pittman and Forbes gave Cheryl Buchanan a first place vote;

Commissioner South gave Bob Austin a first place vote.

These ballots will be available for public inspection in the Clerk's Office and the tally will be a part of the Minutes of today's meeting, Poteat said.

Tax Collector Report

In the absence of the Tax Collector, the Manager reported a total collection through August 29, 2007 in amount of \$2,225,239.13. Additional monies would have been collected through the end of August, and that amount will be added in and reported at the next meeting, the Manager advised.

Tax Assessor Report – Phillip Barrier

Real & Personal Releases

Real & Personal Releases were reported by the Tax Assessor in amount of \$35,128.91 county tax and \$3,786.38 in fire tax.

Motion by Susan Pittman, second by Scott Heath to approve Real & Personal Releases. Motion unanimously approved.

Real & Personal Refunds

Real & Personal Refunds were presented in amount of \$785.31 county tax and \$62.46 fire tax.

Motion by Scott Heath and second by Dan South to approve the Real & Personal Refunds. Motion unanimously approved.

Phillip Barrier reported that his office is currently working on their neighborhood reviews. Our 4-year Revaluation cycle will re-occur in 2010 if we wish to do it then, he said. Things are in place for that cycle, but we are only mandated by law to hold a Revaluation every 8 years.

Toe River District Health Pandemic Influenza Plan – David C. Vance

David Charles Vance, Emergency Management Director, and Susan Clark and Vivian Greene from the Health Department were in attendance regarding adoption of a Pandemic Influenza Plan for the Toe River Health District. David Charles advised that this plan has been approved by the State and that this Board needs to approve it so we can put it into our Emergency Operations Plan for the County.

The Board agreed that this is a very comprehensive plan and is well written. David Charles advised that this is something new brought on by the possibility of any pandemic flu situation and it could also go back to terrorism or Homeland Security issues. David added that his part in this plan is to work with the health Department if this were to ever become a reality as to staging area, storage area for all the required medical supplies, etc.

Susan Clark advised that Mitchell & Yancey Counties have this item on their agendas for consideration as well.

Motion by Susan Pittman and second by Phyllis Forbes to approve the Toe River District Health Pandemic Influenza Plan as presented.

Discussion was held regarding who makes the decision to move from one stage to another on through this process and whether it is a local or statewide decision. Susan Clark said that the stages 1-6 are given to us by the World Health Organization (WHO), and those are the folks who monitor what is going on worldwide as far as disease control. A lot of these diseases start in third world countries where the health care and hygiene is not the standard we try to mandate here. We need to be able to combat the diseases at this level. Stage 6 is a widespread disease whereby there would be a lot of sickness and death. We are in phase 3 now which means that we know it is there but we have had no human to human contacts. It has all been started from families that had birds/chickens living in the house with them and they contracted avian influenza. However, today we have no one who has avian influenza who has given it to another human being. We are trying to be prepared before it happens. This all relates back to the Spanish Flu in 1918 which wiped out a tremendous population and we were not ready for it then. If this becomes a major problem, we will know what we are going to do before hand, Susan Clark said.

Motion unanimously approved.

Guardian ad Litem Program – John Lewis

Mr. John Lewis, District Administrator for the Guardian ad Litem Program in the 24th Judicial District, appeared before the Board to request office space in the Courthouse for the Guardian ad Litem Program as soon as it is available. He said that the Manager has told him that there is currently no space available, but that he is first on the list when it does become available. In the meantime, Mr. Lewis requested that the County consider renting or leasing office space for their program until space is available. Mr. Lewis advised that his program works with abused and neglected children to help them move through the Court system. The Manager stated that he has received a letter in support of this request from Judge Alex Lyerly.

The Manager advised that since he last spoke with Mr. Lewis, some things have happened. Wiseman said that he does not question the validity of this program as it is very worthwhile. Also, I do not take

issue with the fact that the NC Statute requirement has language in it that says the County will provide space for this program. The problem is the lack of available space. I won't kick a state or local program out of their office to make provision for a 3-day office and I don't think it is prudent to rent space for 3 days a week, either. Renting outside the building is not a good idea either; they need to be in the general vicinity of the courtroom, D.A.'s Office, etc. The good news is that Kenny Sudderth is retiring after 32 years with the Court system and as of today he is retired, so his office space is vacant. His position may or may not be filled by the State. Red Townsend has also retired. Interviews have been conducted for a person to fill his position. If a person from one of our adjoining counties is appointed to that position, it would appear that the person would continue to reside in the office and county they now occupy, Wiseman said. Wiseman recommended that with the appropriate approval from our Judges, that we allow Mr. Sudderth's office to be occupied by the Guardian ad Litem until such time as that position is filled. That would give time for the appointments to be made and decisions that impact on how it would operate to come to the front. I feel that with these 2 retirements, there is a way to work out room for the Guardian Ad Litem in the Juvenile Counseling Office of the Courthouse, Wiseman said. I would not recommend going outside and renting space for the reasons I have just stated. This will give us time to see what options we have as it relates to these retirements. Mr. Lewis agreed that his office would rather be in the Courthouse than outside and that this is encouraging news for them.

Discussion. Susan said she didn't think we are bound by law to provide them an office space if they have an office in any of the other counties in the district. Lewis said that this location would be more convenient for the person who is taking the training. Wiseman advised that if what he has just laid out to the Board does not come into fruition, then he feels that the other counties in the district should share in the expense for this office space. Michaelle Poore said that these arrangements are usually worked out on a district wide basis. If you have to look to outside source to rent, then usually counties work together to provide rental payments on that space. There is no hard and fast rule; it is just usually worked out among the counties, she said.

Wiseman asked for permission to work with the Judges on this matter and then come back to this Board. The Board agreed.

Mr. Lewis advised that the position in his office has been filled for a year. The lady lives in Banner Elk and comes to Burnsville some and the Clerk in all 3 counties allows her to use space that they have available. Our problem is that the AOC will not set her up with a computer in her own home. She has to have an office, Lewis said.

Morrison Library Update – Dr. Daniel Barron

Daniel Barron, AMY Regional Library Director, gave the Board a brief update on the Morrison Library. He thanked the Board for the recent painting on the building, adding that they are still doing rock work on the building and that it is really going to look good when they are finished. He invited the Board to come and look at the new Children's Room in the Library. We have also formed a Teen Advisory Group and they are going to help with cleaning up the shelves and putting them back on the walls. Brian Watson from Crossnore has also agreed to put a mural on the wall with a Tweetsie theme.

Mr. Barron also provided the Board with statistics for usage of the Morrison Library. Barron said he was concerned that the kids are using the Internet rather than reading the books, such as when doing reports for school, etc. Overall library circulation is down nationwide. We want to provide access to the Internet, but don't want to forget the books and reading, Barron said.

Mr. Barron advised that the new meeting room at the library can accommodate around 100 persons. There is no charge to use the facility he said. It is available to anyone and we encourage small business people to use it, but not to set up shop and sell merchandise, etc.

Amend Agenda

The Manager asked to amend the Agenda to place the Animal Shelter Proposal presentation before his report. The Board agreed.

Animal Shelter Proposal – Rachel Deal & Avery County Friends of the Shelter

Ms. Rachel Deal read a Memo to the Board in regard to a request from this group to be allowed to develop a proposal for consideration by the Board for locating an animal shelter facility at Heritage Park. This is a non-profit corporation which will locate, design, construct and operate this facility with no cost to the County, Rachel said. Partners in this corporation are Jo Ann Becker, Ann Thompson and husband, Marty Hysinger, Alice Sudderth and Rachel Deal. Rachel stated that their group has been unable to find suitable property thus far on which to locate a shelter. She said that they are interested in putting the shelter on a portion of the 42 acres of undeveloped, but steep property, at Heritage Park. This property is in a centralized location where animals can be treated and/or adopted. It would mean more service to the community due to the amount of space and updated rooms. Rachel asked permission from the Board for her group to be allowed to develop a proposal for use of this property. We are asking if this Board has an interest in this project and if they will approve for our group to go on to the next step of doing a site

plan, Rachel said. Discussion held on amount of acreage it would require. Ann Thompson said that they do not know at this point as to amount of acreage needed, that it will depend upon their architect's guidance.

It was a unanimous consensus of the Board to allow this group to move forward as quickly as possible with a site plan for this Board's consideration.

Robert Wiseman said that historically, one of the concerns we have had about Heritage Park is the under-utilization of the steep portion of this property; we're not talking about the portion where the rodeo is planned for, he added. The progress will depend upon the lay of the land, he said. If this project comes into reality, you're probably talking about the highest and best use of the property, Wiseman said. It would not be desirable for too many other activities in my opinion.

Rachel Deal added that the facility would have a board room that could be used for children to come in and be educated about animals or to have meetings there. Ann Thompson added that Jo Ann Becker's parents are the reason this is taking place. They were summer residents of the county and they loved animals. She added that they named their group "Friends of the Shelter" because they feel that this is for all the people of the county.

County Manager Report – Robert Wiseman **C&D Landfill Expansion Project**

Robert Wiseman advised that there was not much of a decision left to be made on this issue of the C&D Expansion project. The obvious course of action is Option 1, which is the stream expansion option. After the presentation at the last meeting, the Board was to ponder that information.

Michaëlle Poore advised that after our last meeting that she has looked into the matter of the public hearing and determined that no public hearing is needed at this time on this project.

Robert Wiseman suggested that the Board contract with the firm of Richardson, Smith & Gardner for the development of this plan as they were the best firm for the least amount of money. They have also done an in-depth proposal, Wiseman said.

Brief discussion on the stream expansion option which has been recommended. This will give us an area that will last for around 20 years. In this case, the best option is actually the least expensive, Wiseman said.

Motion by Susan Pittman and second by Dan South to allow Richardson, Smith & Gardner to pursue the stream expansion project for the Avery County C&D Landfill.

Phyllis Forbes clarified that all we are doing at this point is approving for this engineering firm to go ahead with the plan and develop it to be submitted to the state. If the plan is not approved or the permitting process does not go through, then we could go back and try one of these other options. The Chairman advised that is correct. **Motion unanimously approved.**

Robert Wiseman advised the Board that recently there was an accident on Brushy Creek Road involving one of our road tractor/trailers which was loaded and on the way to Bristol. The tractor and trailer both had usable life left, but were old. Both were totaled out by the insurance company. Tim Greene will be asking for a budget amendment to take care of the deficit between the amount the insurance company will pay and what we propose to replace this equipment with. Robert then explained that a bee flew into the window of the truck. The driver was swatting at the bee and dropped the front wheel into the ditch line and the truck turned over. In order to protect the driver as well as the County, Buddy Norris, Solid Waste Director, insisted that the driver have a drug test immediately. The results were negative. There was no injury to the driver from the accident and no indication of any wrongdoing on his part.

Tim, Joe Trivette, Buddy and I have discussed the matter of replacing this equipment. We feel that just taking the insurance money we get and just replacing what we had would be a mistake. We don't need to replace equipment that was about worn out with other equipment that is about worn out. It will take in excess of \$100,000 to do what we are suggesting. The Finance Officer will give you more details during his report.

Banner Elk Day Care Project

Robert advised that this project is moving as rapidly as possible, and we are on schedule. We have done an environmental assessment on the existing Day Care Center. All the underpinning with the exception of the insulation has been removed. The environmental assessment has resulted in a suggestion that we take out the insulation from underneath that unit because it was under water. As far as we can see, the water never got up into the carpet or inside the unit itself. We are on schedule with the requirements from the Town of Banner Elk. There are 3 requirements. We have to petition the Town of Banner Elk to annex this property into the Town of Banner Elk. That requires a hearing, etc. The second issue is that upon approval of the annexation, we go before the Zoning Board of the Town of Banner Elk to have that property zoned as medical/educational property. This will cover both the Day Care and the new Banner Elk School as well, Wiseman said. Third, we will petition the Zoning Board for a Conditional Use Permit

to be granted to the County for the operation of this Day Care facility. The permit will be good for 3 years and can then be renewed on an annual basis. The reason for the Conditional Use Permit is that the Zoning Ordinance in the Town of Banner Elk restricts mobile units. All of these things have to take place between now and the last of October.

Also, when we petition to be annexed, they are going to require a Site Plan with all the survey data on the map showing location of the building, the landscaping, the driveway, location of utility lines, etc. I have asked Beeson, Lusk & Street to go ahead and develop this plan because Banner Elk requires that this site plan be stamped by a registered engineer. Wiseman said he thought the cost for this plan would be around \$4,000-\$5,000. They have said that they will do it for a cost not to exceed \$10,000. With the Board's approval, I will tell Beeson, Lusk & Street to proceed with this site plan, Wiseman said. Discussion. Dan South said if Banner Elk wants this Day Care Center, where is their part of this. They need to move this thing through quickly and we don't need to be assuming all of the cost for it. They are the ones who want it. I don't think the County needs to be paying for these architectural review and design costs, Dan said. Robert said he agrees with Dan; however, the requirement for a Site Plan is that no matter who it is, they have to have a site plan. We are also looking at cost for water/sewer hookup, and I have talked informally with the Banner Elk Manager about these issues, Wiseman said. The issue with the site plan is that the Town cannot waive that requirement. If we can work it out somehow on down the road with things such as water/sewer charges, etc., then I think we should. But, if we are going to do this, we need to expedite it to the fullest extent possible.

Scott Heath commented that he is a proponent of this project. I agree that we are relieving Banner Elk of a load and I think they can waive a lot of these fees and cooperate with us financially as much as possible, Scott said. It seems that something could also be worked out on the Site Plan too, maybe on something that has to be done on the new school, etc. Robert Wiseman recommended that the Board not accept title to that property until such time as all of these issues have been worked out.

Scott asked about using the flood disaster monies of \$50,000 that was going to be available. Robert advised that we were going to move the unit and use those monies for moving costs, then whatever was left over would be up for consideration for the needs of the Avery County Little League.

Dan South asked what has happened to the money that the Town of Banner Elk has collected for leasing that old Day Care building for all of these years and whether any of it has been used for the upkeep of that building. He said he is afraid this project is going to snowball and that it will cost us a bunch of money to get the building up there to the school site and it seems that Banner Elk is doing nothing on their end to help.

Chairman Poteat said that we need to plead with Banner Elk to help us with this matter. I think we have a majority consensus for the Manager to continue with this project, but if things continue to snowball and spiral upward, then we are all concerned about that as well. Wiseman said that there is going to be a lot more cost financially to set this building up than anticipated. It needs a complete new heating system. Scott said that Region D says they have \$10,000-\$20,000 that can be used for a heating/air system. There will also be costs incurred for the development of the permanent building. Wiseman added that some of the costs involved for the Day Care will be for grading, site preparation, extension of water/sewer lines, ingress/egress parking lot, playground that will have to be built onto the building, etc. Wiseman said that if we are required to provide a Site Plan with engineering stamp to the Town Council, that until we do that, we are dead in the water. I don't think that the Town of Banner Elk will waive the Site Plan requirement. Scott felt that since this Day Care facility is not going to be a permanent building that the Town could work with us on that so that the expense would not be as much as for something permanent. Wiseman added that Banner Elk requested, by Resolution, for this project and that this facility be moved up there. Scott said we are trying to help those who live in the northern end of the County and they are a partner in this and we are taking this off of their backs, so they need to help us out so it doesn't snowball.

The Chairman instructed the Manager to ask the Banner Elk Town Manager what has happened to those rental income monies for the old Day Care building over the years and how much money was actually put back into the upkeep of the building over the years.

The Chairman advised that we are asking the Manager to proceed with caution on this project and to find out just how much money we are talking about. We may decide not to participate, I'm not sure at this point. Wiseman said that the deal breaker would be the cost of the Site Plan and the engineering plan.

Tweetsie Train Depot

Susan Pittman asked the status of the Tweetsie Depot project. Robert Wiseman advised that it is ready to be moved. All the brick siding is gone; it is on wheels and ready to be moved. They planned to move it earlier, but the move didn't coincide with the traffic from the Bristol race, so they are going to move it on a Sunday morning in September. The foundations for the Depot have been poured at the Avery Museum and it appears that it will not block the driveway up there, Wiseman said.

Finance Office Report – Tim Greene

Budget Amendment

Solid Waste – Tractor/Trailer

Tim Greene advised that he is requesting a Budget Amendment in amount of \$140,000 to purchase a used tractor and trailer for the Solid Waste Department (\$70,000 for the truck and \$70,000 for trailer). This will replace the tractor/trailer that was recently wrecked and declared a total loss by the insurance company. The net cost will run about \$80,000 he estimated. (We will get \$24,500 from our insurance on the truck and \$24,500 for the trailer). We will keep the old wrecked truck and sell it for \$10,000. Buddy Norris and Joe Trivette are getting prices on used trucks with low mileage. We will also be getting a new trailer. Susan Pittman suggested that they make sure the truck has a warranty with it.

Once we get the insurance money and sell the old truck, we should not have more than around \$80,000 in both pieces of equipment, Tim said. Our other option would be to take the insurance money we get back and buy whatever it would buy, which would not be very much.

Motion by Scott Heath to approve a Budget Amendment in amount of \$140,000 for a solid waste truck and trailer-- \$140,000 to capital outlay equipment and \$140,000 to Fund Balance appropriated. Motion seconded by Phyllis Forbes and unanimously approved.

Budget Amendment

The Avery County Sheriff's Department has received a Governor's Crime Commission Equipment Grant from the NC Dept. of Crime Control & Public Safety in the amount of \$12,000.00. (Tim advised that this grant was already approved by the State prior to it coming before this Board for their approval).

Avery County will contribute 25% of the total or \$3,000.00. The grant will be used to purchase remote video surveillance equipment.

Chairman Poteat said the Sheriff is working hard to get grants, which is wonderful, but then we have to kick in County funds for these grants, so where does it stop. How many thousands of dollars do we kick in to help? Poteat asked that this Board be kept apprised of how much we have approved for these grants. Tim Greene advised that in the future, the departments will come before the Board before submitting their grant applications.

Tim advised that this grant is for a laptop computer and a camera for remote video surveillance. This equipment can be used for drug investigations, etc. He added that this equipment is totally different than the cameras in the patrol cars.

Discussion held on application for grants by the various departments in the County. Robert Wiseman advised that there is no guarantee that the grants will be funded. These things will come up all through the year and may require budget amendments at that time, and that is where the Board will have to make a decision.

Motion by Susan Pittman and second by Dan South to approve a Budget Amendment in amount of \$12,000 as follows: \$12,000 debit to Capital Outlay, equipment; \$9,000 credit to Crime Control Grant and \$3,000 credit to Fund Balance Appropriated. Motion unanimously approved.

Budget Amendment

The Avery County Sheriff Dept. can request up to \$6,900 reimbursement from the Drug Task Force for any overtime pay associated with drug investigations. The Drug Task Force is comprised of 6 local law enforcement agencies in the area, Tim said.

He advised that Banner Elk has received a \$100,000 grant so it is a 75%/25% match, of which the 6 local law enforcement agencies are coming up with the \$25,000. We already put the \$4,000 in the Sheriff Dept. budget, but I didn't put in any more than that. We will not bill that grant for the full \$6,900, Tim said. Last year most of those agencies did not bill for their full overtime pay.

Motion by Phyllis Forbes and second by Scott Heath to approve a Budget Amendment of \$6,900 in the Sheriff Dept. for overtime pay associated with drug investigations as follows: Debit of \$6,900 to Salary-Detectives and a credit of \$6,900 to Drug Overtime Grant. Motion unanimously approved.

Budget Amendment

The EMS Department has received a donation of \$120 from Cannon Memorial Hospital for an Advanced Cardiac Life Support class taught by the EMS Director.

Motion by Dan South to approve a Budget Amendment in amount of \$120 to the EMS Department as follows: Debit of \$120 to Training line item and credit of \$120 to Emergency Medical Services. Motion seconded by Susan Pittman and unanimously approved.

County Attorney Report – Michaelle Poore

Michaelle Poore updated the Board on the tax foreclosures that are going on at present. We sold 3 of those properties and are still in a bidding war in two of them, she said.

We also need to discuss pending litigation with the Board in Closed Session, along with Phillip Barrier under Attorney/Client privilege, Michaelle advised.

Chairman Poteat advised the Attorney that earlier in today's meeting before she arrived that the Board did reaffirm the vote taken for the Fire Commission. I went into great detail and also read from the General Statutes concerning secret ballots and/or written ballots, Poteat said. I also read from the Minutes of the previous meeting of the Board where that vote was taken. I also apologize that the procedure previously got by all of us, Poteat said. We also voted by ballot today on a member for the Dept. of Social Services Board. We used the correct procedure this time and came back into session and reported the vote and the Clerk has copies of the ballots on file. That vote will be a part of the Minutes for today's meeting, Poteat said.

Road Addition Request

The County Manager advised that Mr. Warren Shelhamer put in this request asking that the N.C. Dept. of Transportation add 1,800 feet of Squirrel Hollow Lane to the State system for maintenance.

Following brief discussion on this request, **Motion was made by Susan Pittman and seconded by Phyllis Forbes to request the NC Dept. of Transportation to add Squirrel Hollow Lane to the State system for maintenance. Motion unanimously approved.**

Closed Session

Motion by Scott Heath and second by Susan Pittman for the Board to meet in Closed Session under G.S. 143-318.11(a)(3), attorney/client privilege, at 5:10 p.m. Motion unanimously approved.

The Chairman advised that invitees will be the Members of the Board, Clerk to the Board, County Manager, Phillip Barrier, Tax Assessor and the County Attorney.

The Board came out of Closed Session at 5:35 p.m.

The Chairman stated that the Board has been in Closed Session and that no vote was taken. He stated that the Board of Commissioners feel that Mr. Phillip Barrier is a very capable Tax Assessor and that the Tax Assessor's Office should be entrusted with tax appraisal matters to conduct as they see fit through their office and with their expertise.

Approval of Minutes

Motion by Susan Pittman and second by Dan South to approve the Minutes of the July 23, 2006 Closed Session, August 6, 2007 Regular Meeting and August 20, 2006 Regular Meeting, as written. Motion unanimously approved.

Agenda Consent Items

The Agenda Consent Items were approved by a consensus of the Board.

Upcoming Meetings

Chairman Poteat advised that he would keep the Board updated on upcoming Land Transfer Tax meetings and workshops. Currently, there is a one-day workshop scheduled on September 19, 2007 in Raleigh on this issue. We have reserved two slots, for Robert and me, to attend, Poteat said. Other Board Members are also welcome to attend.

The Chairman reminded the Board that beginning in November, we will be holding one Regular Meeting per month from November through April 2008.

Adjourn

Motion by Phyllis Forbes and second by Susan Pittman to adjourn this meeting at 5:42 p.m. Motion unanimously approved.

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

**ATTEST: _____
Nancy H. Cook, Clerk to the Board**