

**STATE OF NORTH CAROLINA  
COUNTY OF AVERY**

The Avery County Board of Commissioners met in a Regular Meeting on Monday, September 21, 2015 at 6:00 p.m. in the Commissioners Board Room, Avery County Administrative Complex, 175 Linville Street, Newland, NC.

Members Present: Robert Griffith, Chairman; Maxine Laws, Vice-Chair; Martha Hicks; Faye Lacey; Blake Vance

Members Absent: None

**Call To Order**

Chairman Griffith called the meeting to order at 6:00 p.m.

Chairman Griffith announced that if anyone would like to speak to an agenda item that they would need to sign up on the sheet with the clerk otherwise there would be a time of public comment.

Tim Greene led prayer.

Joe Perry led the audience in the Pledge of Allegiance.

**Public Comments**

There were no public comments.

**Board Appointment Review**

Tim Greene, County Manager, stated that there is a jury commission appointment for review. The position was advertised for two weeks. We ask that you review this and be prepared to vote on this at the October meeting.

**Avery Fire Association – Paul Buchanan**

Paul Buchanan, President of the Avery Fire Association, said “thank you for having us tonight. I was not prepared to come in front of everyone. At the first request to meet, I thought it was going to be with the committee that was set up a year and a half ago with the two commissioners, two fire commission and two fire association members. What the association was looking for were to bring these items in front of that committee and then from there look at a few things and then go to the board of commissioners but with talking to the county manager and I think he expressed to the chairman that we needed to go ahead with this. I think you have some agenda items that I had basically laid out and there are some that is not relevant. I went back to Mr. Jim Brooks our secretary of the association and pulled out some things that we had been discussing at the association. We can subtract from the agenda Bullet #2 Single Response to Houses/Employee Safety; Bullet #4 1<sup>st</sup> Responder/EMS Doing most of the Work; Bullet #7 Fire Commission Incorporation, not operating the fire departments but guiding their money. A few chiefs still have concerns on the fire commission (especially coordinator) trying to control daily activities and fire scene operations; Bullet #11 Innovapad Statute.”

Mr. Buchanan stated “the first item is to look at more paid employees during daytime hours (even part-time) which is probably something that needs to be looked at in the budget with the fire commission and the commissioners. At this point in time we do have one paid person at each fire department but during daytime hours and the decline in volunteers, we do not have a lot of response during the day especially on a structure fire call and that is a guideline by the state of North Carolina we have to get three departments responses and at this point in time with one person in each station that is still not enough. I would like for you to look at this in the near future as well as the fire commission. I am asking to look at one part-time person and if we can get a full time person to float around the county. That is something we need to look at in the next year’s budget. With the jobs now, the volunteer is going away during the day time but it is hard to get young volunteers out to volunteer in the stations. We need to look at a recruitment tool. The next item is paid employee accountability. I put that down but I think each chief has a good grasp on what each paid employee does during the daytime. I have asked numerous times from the fire commission what the fire department coordinator’s duties are and I always get the definition from the book. From a day to day operation or a weekly operation we don’t know what the coordinator does. There is not a full accountability of what goes on with the coordinator to the fire departments, to the fire commission. The next item is the fire commission meeting nights/no show/not cancelling the meetings in a timely manner. There have been at least two if not three meetings that there have not been enough fire commission members to hold the meeting. If they know they are going to be short a meeting it would be nice to get a heads up that meeting is not going to be before several firefighters in the parking lot congregate and start talking and it is a no show cancellation that we don’t know nothing until 7:30 p.m. That is a big issue especially if there is an agenda item for Fall Creek Fire Department or if they are driving from down at the county line. I have no problem with cancelling it but give us before 7:30 p.m. when the meeting starts at 7:00 p.m. One thing that most fire chiefs will talk about is the Fire Marshal/Coordinator responsibilities. Ten or twelve years ago the Fire Marshal had an assistant. Twelve years ago that position was moved from the assistant to the Avery Fire Coordinator which left a vacancy in the assistant Fire Marshal position. We have allowed the fire department coordinator to assist David Charles

or the Fire Marshal in that role but it is more and more than most of the fire department coordinator's duties are helping the Fire Marshal and that may go back to the accountability that is probably a whole lot of the duties being held is helping the Fire Marshal. My suggestion is we need an assistant Fire Marshal in that role in order to help David Charles with emergency management but also the day to day operations, fire investigations, fire inspections and things of that nature. That brings me to the next item of Fire Department Coordinator's "other duties" not associated to the coordinator such as secretary to the commission, he receives the time cards, fills the checks out, he is acting as a finance officer for the fire commission that is not his responsibility. They have laid a whole lot of things on him in other roles besides being the fire department coordinator and getting out and actually interacting with the fire departments. The last thing is ISO/Operating Budget cost, I know that you are going to disagree with me. We tried to keep our budget as low as we could this year. There is a fine line between our operating budget cost, operating a fire department at an ISO rating of a 7, 6, or 5. When we are trying to save the taxpayer's money and keep that rating a 7, the flip side is the operating budget is a balancing game of do you spend this to keep your rating lower or do you keep your operating budget that you don't fulfil your ISO rating?"

Bill Beuttell, Avery Fire Commission Chairman, stated "I would like to address a couple of the topics with the first being more paid employees and decline in volunteers. In 2014/2015 budget, we talked about the declining volunteers that we had nationwide. Approximately 65% of all firefighting nationwide is done by volunteers so we have known that we are going to have to face this as time went on because firefighters are having to work more and volunteer less. This is an issue that we have talked about in the past and known we have to look at it further down the road. Item #6 Fire Commission Meetings/No show: I will take 100% responsibility for not showing up at the meeting. My wife had the fair going on and I was busy on the phone and it was my fault 100%. I lost track of the date and time and it is my fault and I apologize. What I will do to the persons that I inconvenienced with driving from Fall Creek or wherever, I will give the Fire Association \$100.00 of my personal money to reimburse them for gas because it was just a goof up on my part. I apologize sincerely. I am up here to do the best job I can for you as commissioners, as fire departments and ever once a while we make a mistake and I apologize for that. In going back to look at more paid employees and decline in volunteers, we as a commission have been speaking with some of the fire chiefs. We are looking at deferring possibly buying new fire trucks down the road and refurbishing fire trucks that we have which would be a large savings to the taxpayers and in doing so if we could take some of that money and start implementing more part time and paid employees for the county. We understand the need for additional personnel. It is something that we are looking into. The one thing that we deleted is on the Innovapad Statute a gentleman came to the board meeting about this and we asked that he send us some additional information and we have never received any further information on that. Some of the other questions about the Fire Marshal and Fire Department Coordinator duties I would have to defer to the other board members or to Charlie. To be honest I think Charlie is a hardworking very ethical honest person and I know he works hard. We certainly will do everything to run a commission that is ethical and straight above board."

Chairman Griffith stated "Of course Mr. Franklin is an Avery County Fire Commission employee not an Avery County employee and we will not be discussing any personnel issues in this meeting. I think legal counsel would agree with that." Mr. Beuttell stated that the Fire Association should come to the Fire Commission directly regarding this issue.

Chairman Griffith said "Of course the fire commission is a governing body by the NC Legislature and you are under all NC Public Meeting Laws. Are you aware of two or three meetings?" Mr. Beuttell said "we have cancelled meetings due to bad weather but I can't recall two other times where there has been no shows and I am not saying that there was not I just don't recall."

Jim Brooks said "As secretary of the Avery Fire Association, there was another topic that I wanted to discuss. Back when there was a joint committee, when there was two, two and two, there was discussion about inspections in the county that were not being done and how to get them done. That was the one item that I saw." Paul Buchanan said "that goes back to losing the position of the assistant Fire Marshal. David Charles is spread thin. That is something that needs to be looked at. That is the whole reason he is behind on the inspections."

Chairman Griffith stated "When we heard about this, I contacted one of the fire chiefs who is here in the building tonight and he told me there was some inspections due and our County Manager has aggressively gotten on to this and he has comments in a few minutes regarding this."

Joe Perry, Fire Commission member, thanked the Board of Commissioners for listening to everyone.

Tim Greene, County Manager, commented "We do recognize that the Fire Marshal is spread thin. Most of us here in the county do multiple things and wear multiple hats and like Charlie he does fire commission and does things for the county and jumps right in and does whatever he can to help and make everything as good as we all want it. David Charles is a one man show and Charlie does give him some back up. We do recognize that we do have a problem there and that is something we will talk about in the budget process. In the short term we have a solution just for the short term. Garry Benfield, retired Inspector from the Inspections Dept., we have talked to and talked to Tommy Burleson about this

also. I have talked to them about the fire inspections being priority. I do think we have a decent short term solution. Garry cannot work as many hours as we would like for him to but I think between him and David Charles we will get it caught up starting with Linville District. This is certainly not a long term solution but we will look at this in the budget process. There are a couple of ways we can look at this position; it is a budgetary issue.” Chairman Griffith questioned if Mr. Benfield had all up to date certifications to do the fire inspections. Mr. Greene stated that he is not a level III. Paul Buchanan is a level III and we contract with him.

Gerald McKinney, County Attorney, said it is important to emphasize that the Board of Commissioners does not need to get involved with telling you how to work between yourselves. I am here to help you. I think with both of you all talking tonight may be a good thing.

Faye Lacey had no comment.

Martha Hicks said we will listen but it is for you all to work out.

Maxine Laws commented that she hoped that the fire commission and fire association could work out things between themselves.

Chairman Griffith thanked the Avery Fire Association for the service to the county and thanked the Avery Fire Commission for being willing to serve in that capacity. There is no money for serving on the Fire Commission and this is 100% volunteer.

Chairman Griffith questioned if all fire departments willfully signed their contracts? Charlie Franklin, Fire Department Coordinator, answered all but Beech Mountain and that was being worked on.

Chairman Griffith explained that when the new Board of Commissioners came on in December all old subcommittees were deleted. There are members of that subcommittee that are not in government anymore. If you called me, I can't form a committee off the record. It has to be formed in an open meeting. I have spoken with at least five fire chiefs that seem pretty well satisfied.

Paul Buchanan said “These are topics of interest. Where we are at with the fire commission and commissioners, it is an open dialogue especially from where we were two years ago.”

Bill Beuttell said “We have enjoyed and do enjoy our job we have been charged with. I think that things are running very smoothly and any issues that come before us we look at thoroughly and try to fix anything expediently as possible. I have no complaints and we look forward to any dialogue we have with the fire departments.”

Tim Greene asked for the list from the Linville Fire District in regard to the fire inspections.

#### **County Manager Updates – Tim Greene**

Tim Greene reported that he and Bob Wilson did a walk through at the Avery Cares building. Mr. Wilson made a request to see if they could stay through the end of October. They are going to have another meeting and that would work better for them. Also, there are things in there that we inherited from New River that will remain with the county. I will inform NA that we will be closing the building at the end of October and also Drug Court met there twice a month for about two hours and I will get in touch with them. My charge will be to winterize that and keep a little bit of heat on and probably want to put it on the market.

Gerald McKinney, County Attorney, stated at this point we can dispose of the contents.

Faye Lacey said there was a plaque that belonged to her husband and a picture that she would like to have.

Mr. Greene said that he could declare everything in the building surplus and he would take care of disposing of it.

#### **Finance Officers Report – Nancy Johnson**

Nancy Johnson reported that the auditors would be working on the audit Wednesday.

#### **County Attorney Report – Gerald McKinney**

Nothing to report at this time.

Chairman Griffith questioned Martha Hicks if there was a progress report on the Veteran's Monument.

Martha Hicks stated that the committee met with Daniel Gauldin today at the square and he looked at the property. He had a sketch of the stone. We talked about the engraving of the names. He is going to give us a bid on the sidewalks and fixing the patio. Mr. Greene said that Mr. Gauldin said he would give us a price but if we want to get it done locally we can do that. Ms. Hicks stated that she and Chairman Griffith had spoken in the square and that it was suggested that maybe a gazebo could be put in the square so that it could be used for different occasions if that is what the other commissioners would like to do. Chairman Griffith said after the criteria have been set for the monument the subcommittee will no longer be needed. Ms. Martha and I talked about refurbishing the rest of the square and I thought it would be best that she bring some ideas to the Board of Commissioners along with working with the County Manager and proceed with beautification to the square.

**Agenda Consent Items**

**Adopted by consensus of the Board.**

**Upcoming Meetings**

October 5, 2015 is the next Regular Meeting. Chairman Griffith asked the Board to check their calendars for October 6, 7, or 8<sup>th</sup> to meet with the Board of Education.

**Adjourn**

Chairman Griffith adjourned the meeting at 7:05 p.m.

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**Robert Griffith, Chairman  
Avery County Board of Commissioners**

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