

**STATE OF NORTH CAROLINA
COUNTY OF AVERY**

The Avery County Board of Commissioners met in a Regular Session on Monday, March 2, 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; Martha Hicks; Faith Lacey; Blake Vance

Members Absent: Maxine Laws (illness)

Call To Order

Chairman Griffith called the meeting to order at 6:00 p.m.
Tim Greene led prayer.

Chairman Griffith recognized the Boy Scouts of America that were present and asked that Nathaniel Hardy, one of the scouts, lead the Board and audience in the Pledge of Allegiance.

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

Proclamation- American Red Cross Month 2015

Martha Hicks read aloud the proclamation.

Whereas, March is American Red Cross Month, a special time to recognize and thank our everyday heroes—those who reach out to help their neighbors when they are in need; and, Whereas, the American Red Cross is on the front lines every day from those who volunteer their time and give blood to those who take life-saving courses or provide financial donations to help those in need; and, Whereas, we would like to remember our heroes here in the High Country who give to help people in need. They work tirelessly to help in time of disaster, when someone needs live-saving blood, or the comfort of a helping hand. They provide round-the-clock support to members of the military, veterans, and their families, and teach life-saving classes in CPR, aquatics safety and first aid; and Whereas across the country and around the world, the American Red Cross responded to hurricanes, tornadoes, floods and wildfires; and Whereas, we dedicate the month of March to all those who support the American Red Cross mission to prevent and alleviate human suffering in the face of emergencies. Our community depends on the American Red Cross, which relies on donations of time, money and blood to fulfill its humanitarian mission. Now Therefore, Be it Resolved that the Avery County Board of Commissioners do hereby proclaim March 2015 as American Red Cross Month, and encourage all citizens to support this organization and its mission.

Brian Womack, American Red Cross, thanked the Board for making this proclamation. He said that every 8 minutes the American Red Cross responds somewhere in the United States to a house fire. In the last two weeks, we have had two fatalities in Caldwell County because of house fires. We thank you for making this awareness in the community.

Motion by Blake Vance and second by Faye Lacey to adopt the American Red Cross Proclamation for 2015 as read. Motion unanimously approved with those in attendance (4-0).

Public Comments

Glenn Johnson, Avery County resident, stated that the new buzz word with the new board lately has been accountability. We need to be accountable as public officials to the people of Avery County. I would remind you that we need to be accountable to all of the people of Avery County in general not certain individuals or certain groups of people but all people of Avery County. You have many people in this county that can't vote in the election but you still represent those people. It is hard to determine what the will of the people is because people have many varying opinions. Keep in mind what is good for all of the people as a general rule. Also, at the first meeting one commissioner made the statement "we don't need to be competing with other counties, we need to do what is good for Avery County". I am here to tell you we must compete, individuals compete, companies compete, states compete, etc. I would like to ask you what your plan is for economic development for Avery County. We no longer have an economic development department. We have a lot of young people and I want them to be able to live and work in Avery County. We need to be doing something and I challenge you to tell us your plan for developing this county. Also, we do not have a Human Resources department. Micromanaging never works. Allow your department heads to make the decisions that they need to make.

Board Appointments

Chairman Griffith stated “we have a vacant chair here tonight. Maxine Laws and her husband are in Chicago at the Cancer Treatment Centers of America. I ask the audience to remember her in her vacancy and remember her husband.”

High Country Council of Government Executive Board Appointment (Substitute)

In January 2015, Maxine Laws was appointed to the High Country Council of Government Executive Board and due to unforeseen circumstances Ms. Laws is unable to serve at this time. Chairman Griffith stated that he had spoken with counsel concerning this and that he would serve as a substitute on this board until Ms. Laws is able to serve again. The meetings are the third Monday night of the month at 7:00 p.m.

Motion by Faye Lacey and second by Martha Hicks to appoint Chairman Reo Griffith as a substitute on the High Country Council of Government Executive Board until Ms. Laws is able to serve again. Motion unanimous with those in attendance and voting. (3-0) (Chairman Griffith did not vote).

Toe River Health District Board Appointment (Substitute)

Ms. Maxine Laws was also appointed to the Toe River Health District Board in January 2015. Ms. Laws is unable to serve at this time. Ms. Faye Lacey will serve as a substitute for Ms. Laws until she is able to serve on this board.

Motion by Blake Vance and second by Martha Hicks to appoint Faye Lacey as a substitute for Ms. Laws on the Toe River Health District Board until Ms. Laws is able to serve. Motion unanimous with those in attendance and voting (3-0). (Ms. Lacey did not vote).

Agricultural Advisory Board

The two positions for the Agricultural Advisory Board were advertised in the paper. The applications we received were Mr. Larry Smith and Mr. Ellis Aycock. We received no other applications. These gentlemen are currently on the board. These members are appointed by acclamation.

Northwestern Regional Housing Authority

This position was advertised and we received one application, Troy Clark.

Motion by Blake Vance and second by Faye Lacey to appoint Troy Clark to the Northwestern Regional Housing Authority.

**Vote: Reo Griffith; Faye Lacey; Blake Vance---For
Martha Hicks---Against**

Motion passes 3 to 1.

Avery County Joint Community Advisory Committee

This position was advertised and one application was received, Jean Franz. Ms. Franz appointed by acclamation.

Resolution Regarding Providing Flexibility to Avery County Board of Education in Adopting Their School Calendars

David Burlison, Avery County School Superintendent, said “as you know, Avery County is a little different than many of the counties down in the eastern part of the state and the piedmont and thanks to your chairman he called the other day and said we need to help you with your calendar. We are in a box when we can start and end school. As you know, we have a lot more weather than most people do. We have missed 20 days up to this point. Chairman Griffith and the Clerk worked on a resolution along with Josh Dobson and Mr. Dobson is willing to present a bill to the General Assembly asking for more flexibility and a little more authority to the school board to develop their calendar. As we know local authority to me is very important. I have encouraged the Board to pass the resolution and encourage our representative to go forward with this bill allowing us a little more flexibility and any relief other counties receive that Avery County get that relief. Many times “states of emergency” are declared in other parts of the state for 3 inches of snow. Mr. Chairman, thank you for your leadership and willingness to step out and help with this.”

Chairman Griffith read aloud a letter from Representative Josh Dobson:

Chairman Griffith, I recently filed a bill to give Avery County flexibility with regard to the school calendar based on weather patterns in Avery County. I understand how important school calendar flexibility is. Therefore, I respectfully request the Avery County Board of Commissioners giving Avery County Schools the flexibility it needs to address this issue. Thank you for all your hard work and all that you do for Avery County.

Chairman Griffith stated that Mr. Dobson had wanted to be at the meeting but he had an important meeting in Raleigh tonight.

Commissioner Vance thanked Representative Dobson for taking the initiative to work on this. I am a firm believer that education should be as flexible and decentralized as possible. Commissioner Hicks stated that Mr. Burleson had a hard job and commended Mr. Burleson for the decisions that he had to make regarding the weather. Commissioner Lacey thanked Mr. Burleson and Representative Dobson.

Chairman Griffith read aloud the Resolution:

Whereas, the school calendar is set by the state with certain dates to start and certain dates to end for all school districts, and

Whereas, due to Avery County's weather, Avery County is unique to other school districts, and

Whereas, it would be beneficial to the students in Avery County if the Avery County Board of Education could have flexibility in adopting their school calendars, and

Whereas, it would be helpful that any days that are forgiven due to inclement weather in any area of the state should apply to Avery County also.

Therefore, Be It Resolved, that the Avery County Board of Commissioners support the bill sponsored by Representative Josh Dobson to give the Avery County Board of Education additional flexibility in adopting their school calendars.

Motion by Blake Vance and second by Faye Lacey to adopt the Resolution Regarding Providing Flexibility to Avery County Board of Education in Adopting Their School Calendars. Motion unanimously approved with those in attendance (4-0).

Avery County Humane Society – Rachel Deal; Joe Magid

Rachel Deal stated that she had been involved with the Humane Society for the last 37 years and that the county had been behind the Humane Society. In 1978 we got out every Saturday and worked because the commissioners at that time said if we would raise \$15,000 by the fall they would give us \$15,000 to help us build a shelter on Stamey Branch. We raised it and the commissioners gave us \$15,000 and we went to JennAir and they gave us a little more money and we built a shelter on Stamey Branch with the help of the people in the County. In 2008 we came to you again and we asked for some property in the county and it happened that the county had some property that you were willing for us to build a new shelter. I thank you for allowing us to do that and you have been a great help to our shelter.

Joe Magid, Chairman of the Avery County Humane Society Board, spoke regarding the Humane Society. Mr. Magid said that the humane society was a privately owned, operated and funded shelter. We receive income from adoption fees, Happy Paws Pet Boutique, Paws and Claws resale store, fundraising events, grants and general donations. Seven percent of our total expenses are covered by a donation from Avery County. This money is restricted in use and goes towards a portion of our utility expenses. The monthly operating expenses are close to \$60,000. The Humane Society does not receive direct funding from the State or Federal government, United Way or any other national group with a similar name. Last year the Humane Society had approximately 1500 visitors, 905 animals taken in, and over 800 adoptions. In 2012 we moved into our new facility. Avery County is a "low kill", "limited admission" facility. Avery County Humane Society spends \$150.00 in the first hour of a new animal arriving. The Humane Society has fixed over 1150 Avery County public owned cats and dogs for free and given free rabies vaccines to the cost exceeding \$60,000.00. In 2013 we spent \$595,460.90; in 2014 we spent \$632,516.02 an increase of 5.9 percent. Revenue is going down, we received in 2013 \$785,766.78; in 2014 we received \$657,033.71 16.4 percent less in 2014.

Commissioner Vance stated "this is a bit of a hot button issue in Avery County. There were some pretty derogatory things on the website recently that I was not much of a fan of considering the Humane Society was receiving taxpayer's dollars. I would like to see the Humane Society cooperate better with local law enforcement." Mr. Magid stated that he agreed 100% with Mr. Vance and that the Board had recently met with some members of law enforcement .

Commissioner Hicks stated that the Humane Society has helped the county a lot. I have been on the Board for seven years and we have helped the Humane Society. We need to work together.

Commissioner Lacey stated that she had heard a lot of criticizing about the Humane Society not taking animals. I would like to see that worked on. Some people have had to take animals to the Watauga Shelter. Mr. Magid stated that he realized there was a problem with that but that the Avery County Humane Society was a limited admission facility and do not euthanize to make more space.

Chairman Griffith said that there was a very thin line when you mix public funds and private funds. You probably will need to explain that more with possibly a letter to the board or county manager.

Mr. Magid thanked the Board for their time. We are here to reach out and reiterate our continued desire to build strong relationships.

Avery Airport Presentation – Rachel Bingham

Rachel Bingham, Senior Airport Project Manager with the NC DOT Division of Aviation, explained that the growth at the Avery County Airport locally is not seen in any other airports that she manages in the Northwest and this is a tremendous benefit that Avery County is receiving through the authority working with local companies. The statistics are from 2012 and they show that the local airport created 4.8 million dollars in this area alone and generated \$145,000 in taxes. Since that time they have grown by six hangars. The 2015 study is underway at this time and the numbers have increased. An engineer spoke regarding the pavement on the runway. The PCI index is lower than it should be with regards to the runway. We looked at three viable options at a cost of approximately \$900,000 to 1.1 million dollars. The project is eligible for funding at 90%.

Sam Calvert, Chairman of the Avery County Airport Authority, announced that three HC 47 helicopters will be landing at the airport at 7:30 p.m. on March 12th. The helicopters will be refueling one helicopter from another while sitting on the ground. The helicopters will be using night vision goggles. The commissioners and public is invited to attend.

Avery County Inspections Department – Tommy Burleson

Tommy Burleson, Avery County Inspections Department Director, reported that the building inspections department was created in 1985 per NC General Statute 153A-351. The inspections department is regulated by the NC Department of Insurance. All new construction, renovations and additions are to be permitted by the Avery County Building Inspections. The other primary purpose of the building inspections department is to assure the owner that the individual or construction company of which he has employed or signed a contract with is properly licensed for the scope of work stated in the contract. All building inspectors must be trained and tested for each level the inspector may be qualified to inspect. There are three code enforcement officials and one administrative assistant in the inspections department.

Avery County Senior Center – Phillip Adams

Phillip Adams, Director of Avery County Senior Center, reported that Avery County Senior Center measures up with the best. The one service that is more important is the home delivered meals. The home delivered meals keeps clients in their homes and keeps them out of nursing homes. It is not just a meal it is someone checking on them. We have served 8,423 home delivered meals as of the end of January. We have served 8,665 congregate meals at the senior center. Our in home aide level 1 home management has provided 4,256 of service hours. We have provided 756 trips for general transportation and 84 medical trips. We have the highest level of contributions in the region and one of the highest in the state. We have had \$13,373 in contributions toward meal services. We do not charge for meals but ask for donations. Our Council on Aging is very involved which allows us to seek out grants. We got a grant for \$10,000 that has bought new exercise equipment and a large screen television. We provide Medicare assistance for clients in the county and I am the Coordinator for SHIP. We have people sign up for Medicare or make a complaint. We have done over 108 individual counseling sessions for Medicare in the past 6 months. We have done 40 tax returns free of charge. We do flu shots every year. We use the senior center as an educational hub. We also have a non-senior activity there called Volunteer Avery County. In the past year, with a half time person, Volunteer Avery has raised and distributed \$114,000 in money and material. We are still distributing food there. We also provide health screenings and many other programs throughout the year.

Commissioner Hicks announced that there was a website that people could go to for information. She thanked Mr. Adams and the senior center staff for their hard work.

Commissioner Vance commented that he believed the senior center was exemplary.

Commissioner Lacey commended Mr. Adams on his presentation and the senior center.

Tax Administrator Report – Phillip Barrier

Total Tax Collections

The Total Tax Collections for the month of February is \$389,584.09.

Motion by Blake Vance and second by Faye Lacey to approve the Total Tax Collections for the month of February as presented. Motion unanimous with those in attendance (4-0).

Regular Releases

The Regular Releases for the month of February is \$569.85.

Motion by Martha Hicks and second by Faye Lacey to approve the Regular Releases for the month of February as presented. Motion unanimous with those in attendance (4-0).

Board of Equalization and Review

Mr. Barrier presented the Board with applications for the Board of Equalization and Review that will need to be appointed at the April meeting. This has been duly advertised. We need a 5 member board and one alternate.

Mr. Barrier went over sales for the month of March.

Chairman Griffith stated that there was over \$40,000 charged to the taxpayer's of Avery County. Some of the citizens paid town taxes and county taxes on their vehicles. This affected around 1200 people. When Phillip and the County Manager found this out, calls were made to Raleigh and they were told if the people come and ask for their money back you give it to them otherwise you keep the money. Chairman Griffith stated that we did not operate like that. Now some \$40,000 is being returned to the taxpayer's. Mr. Barrier stated that his office had corrected it so hopefully that would not happen.

Recess

Chairman Griffith called for a brief recess.

Chairman Griffith declared the meeting to be back in session after a brief recess.

County Manager Updates – Tim Greene

Sewer System at Avery High School

Tim Greene, County Manager, reported that MB Haynes had scoped the sewer lines at the Avery County High School and done a video recording. We will start the process of what needs to be done to fix the problem. The report was supposed to have been completed last Thursday but have not received it yet. There are problems with the sewer system and there are a number of places in the whole system that has problems.

Chairman Griffith suggested that when the video is sent to the County Manager that it be sent immediately to the commissioners or set up a time when one or two of the commissioners could come in and review with the County Manager. After it is reviewed by the Board, let's move hastily with getting a meeting set up with the school board.

Renovation of Bathrooms at the Courthouse

At the Board retreat, the Board had talked about potentially remodeling those bathrooms that are off the tax office so we had the architect draw up some plans for that and we had the general contractor give a quote on that and the quote was such that I would recommend that we not go with them. We do have the plans from the architect so we can hire a local contractor to do that.

We also have two outstanding issues at the courthouse which is the painting outside and the sod. The weather has been that these could not be completed.

The general contractor will be there tomorrow along with the HVAC contractor because we are having some problems with the HVAC system.

Solid Waste

Buddy Norris has one of the buildings in progress for the sites. It will be sometime this week or next week before we actually get the building. Some materials will be back ordered. The front end loader will be towards May before we get it.

Budget Workshop Dates

We have some dates that we have looked at for budget workshops. We are looking at April 22nd, 23rd, 29th and 30th. We would like to start all of the meetings at 9:00 a.m. except for the 23rd meeting which would need to be started about 5:00 p.m. In years past, we have had the public hearing on the second meeting in June but we would like to have our public hearing on the first meeting in June.

Finance Officer Report – Nancy Johnson

There is nothing to report this month.

County Attorney Report – Gerald McKinney

Resolution Delegating Leasing Authority for Home Health Facilities to County Manager

Gerald McKinney, County Attorney, explained that Home Health has been a great assistance to the counties financially for the past several years. The health district has had a certificate of need to provide home health and it has been a money maker over the years. It has lessened significantly the amount the counties have had to contribute to the health department but as they say times change. Home Health is not the money maker that it was. Part of the reason is competition. There are greater companies that can compete. What was making pretty good money three or so years ago may not be making money this year or may be losing money. The health district has decided to sell that service. There is a company that is willing to purchase it right now at a good price. I think it is 2.9 million dollars. We won't have money coming in all the years down the road like we used to. What is critical to this is that you have to have this happen as soon as you can because the other competitors are picking up clients. In order for this buyer to continue to get the Medicare money, there is a transfer that happens that is called a tie-in letter but they have to use the same physical facilities that the current owner is in. They have to have those sites available and use them until the tie-in letter comes. What we are proposing to do in each of the three counties is to delegate to the County Manager the authority to lease the space. We have 390 square feet. We are talking about a couple of hundred dollars per month for that space.

Chairman Griffith read the Resolution as follows:

Whereas, Avery County has provided space to the Toe River District Health Department for operation of certain of its Home Health services for the citizens of Avery County; and

Whereas, the Toe River District Health Department has determined that it should convey its Home Health licenses to a third part ("Buyer"); and

Whereas, under current federal regulations, the office location of a licensed home health service cannot change until the Center for Medicare and Medicaid (CMS) issues a "Tie-In" letter which can take 3-6 months; and

Whereas, in order to comply with the CMS process and prevent discontinuation of home health services to the people of Avery County it will be necessary to lease the space currently used by TRHD for home health services to the Buyer; and

Whereas, it is critical to obtaining the best price possible from the Buyer that there be no delay in the execution of such lease; and

Whereas, under NCGS 160A-272(b) and 153A-176, the County may delegate the authority to lease said space to the County Manager.

Now, Therefore, be it resolved by the Avery County Board of Commissioners as follows:

- 1. That the County Manager is authorized to enter into a lease for the space occupied by the Toe River District Health Department for its home health services for a term of one year or less at such rent the County Manager shall deem appropriate for the use and space to be leased, and upon such other terms and conditions as he shall determine.*
- 2. That the County Manager is authorized to execute said lease on behalf of the County.*
- 3. This resolution is effective upon adoption.*

Motion by Blake Vance and second by Faye Lacey to adopt the Resolution Delegating Leasing Authority for Home Health Facilities to the County Manager. Motion unanimously approved with those in attendance (4-0).

Resolution to Fund and Designate Purposes of Capital Reserve Fund

Mr. Greene explained that this is a resolution that the County Attorney has drawn up that will give some flexibility for current expenditures for the capital reserve fund. Chairman Griffith stated that capital reserve under general statute will not just let you have a capital fund balance. It has to be designated in a resolution of the purpose of the reserved fund so this is what we are doing tonight and this is covering immediately the sewer system and the front end loader and the housing for the solid waste worker.

Tim Greene read the Resolution as follows:

Whereas, Avery County has established a Capital Reserve Fund for certain purposes; and

Whereas, the purposes stated for the existing Capital Reserve Fund have been accomplished leaving a balance of \$4,836,034.26 therein.

Whereas, Avery County wishes to establish a separate Capital Reserve Fund for the purposes below.

Now, Therefore, be it resolved that the Capital Reserve Fund shall:

1. *Be used for the following purposes.*
 - A. *Providing a front end loader for use at the County Solid Waste Facility and to provide Shelters for County employees at the waste transfer stations.*
 - B. *Providing for repairs, improvements to or renovation of the sewer system at Avery County High School.*
2. *The approximate periods of time for each purpose shall be:*
 - A. *Providing Front End Loader and Shelters: June 30, 2015*
 - B. *Providing High School Sewer System Repairs: August 31, 2015*
3. *The approximate amounts to be accumulated for each purpose:*
 - A. *Providing Front End Loader and Shelters: \$200,000*
 - B. *Providing High School Sewer System Repairs: \$300,000*
4. *The sources from which monies for each purpose will be derived:*
 - A. *The balance in the current, but undesignated Capital Reserve Fund, may be used to fund the aforesaid purposes.*

This resolution shall be in effect until amended or rescinded by the Board of Commissioners.

Chairman Griffith stated that a known number is \$200,000 for the front end loader and the site buildings. Chairman Griffith stated that a number he would throw out for the capital fund balance would be \$300,000.

Commissioner Vance stated that he thought it would be wise to amend the resolution and possibly change "B" part to providing the exploration of costs for repairs, improvements and renovation of the sewer system at Avery County High School. I don't think we have enough information to personally put a number on this. We can always change it next month. I am uncomfortable with putting an unknown in there.

Gerald McKinney, County Attorney, stated that this was real flexible and could be changed at the next meeting. You have a lot of flexibility. A lot of times you are saving up money years down the road to build something. It is very open and approximate. This does not box us in to put a higher amount in there. We do need to start figuring out what we are going to do with the rest of it sooner than later.

Commissioner Hicks said at the meeting that we had with the school board it was the consensus of the Board of Commissioners that whatever it costs to fix the sewer that we would do it.

Commissioner Lacey stated that she thought it would be a good idea to put that much money in the capital fund and then if we need to do more we can.

Chairman Griffith said then the remaining balance could go into the general fund.

Commissioner Hicks agreed with Chairman Griffith to designate \$500,000. Commissioner Vance said he knew it had to be fixed but he felt like that was too specific in case we saw that it was more cost effective to do something else. I think we have more options than gutting it and fixing the system. I have talked to some members of the school board and they are not real happy about that option. I know they have a say in the table actually more than we do. The County Attorney said that this is not binding it is setting money aside to do this if you choose to do it. Chairman Griffith said that this is just being in compliance with the general statute; we may add to.

Chairman Griffith entertained a motion to adopt the Resolution to Fund and Designate Purposes of Capital Reserve Fund and make a balance in the capital reserve fund of \$500,000 for the purpose of providing a front end loader and shelters and providing high school sewer system repairs. Tim Greene asked for clarification when Chairman Griffith commented to move the remaining monies to the general fund and bring it back into the capital reserve fund when we need to amend it. The County Attorney said that this resolution did not address that and we need a resolution to that. We are going to leave that money there in a capital reserve fund undesignated until we figure out what the purposes would be. Sooner than later we need to designate what we are going to do with the money.

Motion by Martha Hicks and second by Faye Lacey to adopt the Resolution to Fund and Designate Purposes of Capital Reserve Fund and the approximate amounts for the front end loader, shelters and sewer system repairs be \$500,000.

VOTE: Motion passes 3 to 1.

**For---Reo Griffith, Martha Hicks, Faye Lacey
Against---Blake Vance**

Resolution Delegating Leasing Authority to Manager

Gerald McKinney, County Attorney, explained that this gives the manager authority to lease various parcels of property or office space for a period of up to one year. Mr. Greene stated he certainly would not want to enter into any leases without consensus of the full board before doing that.

The Resolution reads as follows:

Whereas, Avery County owns various parcels of property that it has no need for; and

Whereas, NCGS 160A-272 authorizes the Board of Commissioners to delegate to the county manager the authority to determine that specific parcels are temporarily surplus to the county's needs and to lease such parcels for periods of up to one year.

Now, Therefore, Be it Resolved by the Avery County Board of Commissioners as follows:

- 1. The County Manager is authorized to determine that specific parcels of county owned property are surplus to the county's current needs and to enter into leases of such parcels for periods of up to one year, upon such terms and conditions as the manager shall determine.*
- 2. The County Manager shall report to the Board of Commissioners at the first meeting of each quarter as to any leases of county owned property entered into during the preceding quarter.*
- 3. That this resolution be effective upon adoption.*

Motion by Martha Hicks and second by Faye Lacey to adopt the Resolution Delegating Leasing Authority to the Manager. Motion unanimously approved with those in attendance. (4-0).

Resolution Authorizing County Manager to Declare Personal Property as Surplus, To Set Its Fair Market Value, and to Convey Title Thereto

Mr. McKinney stated that from time to time the county will buy a new vehicle and they have an old one to deal with and the statute says you can delegate the county manager to declare surplus up to \$30,000 but Mr. Greene does not want that much authority. He suggested \$10,000 because most vehicles will be under \$10,000. The other items that we would declare surplus and sell is usually computers, monitors, desks, etc.

The Resolution reads as follows:

Whereas, Avery County, from time to time, owns personal property as surplus to the County's needs; and

Whereas, NCGS 160A-266 and 153A-176 allow the County to authorize one or more County officials to declare surplus any property valued at less than thirty thousand dollars (\$30,000) for any one item or group of items, to set its fair market value, and to convey title to the property for the County.

Now, Therefore, Be It Resolved by the Avery County Board of Commissioner as follows:

- 1. The County Manager is authorized to determine and declare as surplus any personal property valued at less than ten thousand dollars (\$10,000) for any one item or group of items, to set its fair market value, and to convey title to the property for the County upon such terms, price and conditions that the County Manager shall, in his discretion, secure for the County fair market value for the property disposed of and to accomplish the disposal efficiently and economically.*
- 2. The County Manager shall report to the Board of Commissioners at the first meeting of each quarter as to sale or disposal of County-owned personal property during the preceding quarter.*
- 3. This resolution shall be effective upon adoption.*

Motion by Martha Hicks and second by Blake Vance to adopt the Resolution Authorizing the County Manager to Declare Personal Property as Surplus, To Set its Fair Market Value, and to Convey Title Thereto. Motion unanimously approved with those in attendance (4-0).

Closed Session

Motion by Blake Vance and second by Martha Hicks to go into Closed Session at 8:44 p.m. regarding NCGS 143-318.11 (a)(6) Personnel and NCGS 143-318.11 (a)(3) Attorney/Client Privilege. Motion unanimously approved with those in attendance (4-0). Invitees are the Board, County Attorney, County Manager and Clerk.

Chairman Griffith declared the meeting to be back in Regular Session at 8:57 p.m. after a time of Closed Session. During Closed Session, no action was taken.

Approval of Minutes

Motion by Blake Vance and second by Martha Hicks to approve the Closed Session January 5, 2015 Minutes; Board Workshop January 9, 2015; Joint Meeting with Board of Education January 26, 2015. 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 April 6, 2015.

Adjourn

Motion by Martha Hicks and second by Faye Lacey to adjourn this meeting at 9:00 p.m. Motion unanimously approved with those in attendance (4-0).

Robert "Reo" Griffith, Chairman
Avery County Board of Commissioners

ATTEST: _____
Cindy Turbyfill, Clerk