

**STATE OF NORTH CAROLINA
COUNTY OF AVERY**

The Avery County Board of Commissioners met in Regular Session on Monday, October 20, 2014 at 3:30 p.m. in the Commissioners Board Room, Avery County Administrative Complex, 175 Linville Street, Newland, NC.

Members Present: Kenny Poteat, Chairman; Glenn Johnson, Vice-Chair; Phyllis Forbes; Reo Griffith; Martha Hicks

Members Absent: None

Call To Order

Chairman Poteat called the meeting to order at 3:30 p.m.
Reo Griffith led prayer.

Chairman Poteat informed the public if anyone would like to speak to an agenda item they must sign up on the sheet with the clerk otherwise there would be a time of public comment.

Public Comment

Reo Griffith commented that he would be leaving for a funeral service for a Shriner's funeral Mr. Joe Berry. We have a person in the audience and Mr. Joe Berry took her several times to the burn center in Cincinnati. I thank the Board for supporting the Shriners.

Chairman Poteat moved on with the agenda since it was not time for the Public Hearing.

County Manager Updates – Woodie Young

Woodie Young, Interim County Manager, updated the Board on the painting that is going on at the health department. The unoccupied offices will be painted on the weekends and evenings. The wiring is to be done this week and DSS can start moving shortly after that.

Golden Leaf Grant

Mr. Young reported that the Golden Leaf Grant was applied for by the Avery County Schools but it needed endorsement by the County Manager. The amount of the grant is \$1,211,701.00 and it is for technology and reading incentives. The County Attorney has examined the paperwork and she stated that I could go ahead and sign it. Michaelle Poore, County Attorney, stated that this was a preliminary request. This is just the first round to see if the Avery County schools can apply for the grant. The county is not obligated for anything.

Mr. Young reported that Joe Trivette and the maintenance crew have all of the outside lighting for the health department and this building working.

Probation and Parole Lease

Included in the board packet is a lease between the County of Avery and the state for the parole offices. This is a standard lease and comparable to the past leases that the county has had with the state.

Motion by Phyllis Forbes and second by Glenn Johnson to approve the lease agreement between the County of Avery and State of North Carolina for the Probation and Parole Offices. Motion unanimously approved.

Recess

Chairman Poteat called for a brief recess.

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

Public Hearing- Rural Operating Assistance Program – Debbie Smith

Motion by Martha Hicks and second by Glenn Johnson to go out of Regular Session and into a time of Public Hearing regarding the Rural Operating Assistance Program at 3:50 p.m. Motion unanimously approved.

Debbie Smith, Director of Avery County Transportation, explained that the Rural Operating Assistance Program is a program where we receive money from state funds. It is to operate the rural general public, employment program and elderly and disabled program. The funds include for Elderly and Disabled Program \$46,636.00, Employment Transportation Program \$5,939.00, and Rural General Public Program \$45,333.00 for a total of \$97,998.00. We are asking for approval to submit the application for the grant. There is a decrease of \$18,448.00 in funds from last year. We are going to try to maintain service as we have been doing but we are going to have to get more efficient on our runs. There are a few other grants that we are looking at. Chairman Poteat stated that this equated to a 20% reduction.

Glenn Johnson questioned what the current rate was for this service. Ms. Smith said that it was 0.50 cents for the regular routes, \$2.00 for any other route in the county, \$5.00 to Boone or Spruce Pine, etc. Mr. Johnson asked if the thought had been given to increase those rates. Ms. Smith answered that the state preferred that these rates not be increased because we do want to make transportation available for all citizens so increasing rates could mean that some of the clients could not afford this.

Reo Griffith questioned if the \$18,000 that was cut was in a general line item or where was it cut. Tim Greene, Finance Officer, stated that a revenue line item would be \$18,000 short and the \$18,000 in expenditures would be filtered throughout the whole budget. Mr. Greene says that some of the trips that transportation runs qualifies for this grant and some does not.

Rachel Deal commented that Avery Transportation was wonderful for the elderly to have when they cannot drive anymore to their doctor's appointment. Sam Ray also commented that Avery Transportation helps the veterans and the elderly. Stanley Hollifield stated that Avery Transportation had taken him to the hospital for his therapy sessions and that he really appreciated it.

Debbie Smith stated that the certified statement would need to be approved.

Martha Hicks stated that it was a shame that the state hit the elderly people on the cuts. The senior center was also cut.

Motion by Martha Hicks and second by Phyllis Forbes to go out of a time of Public Hearing regarding the Rural Operating Assistance Program Application at 4:05 p.m. and back into Regular Session. Motion unanimously approved.

Motion by Martha Hicks and second by Glenn Johnson to approve the Certified Statement for Fiscal Year 2015 Rural Operating Assistance Program for the County of Avery and the attached application. Motion unanimously approved.

County Attorney Report – Michaelle Poore

Proposed Resolution: Proposed Lease to LMC; Proposed Deed to the County

Michaelle Poore, County Attorney, stated that the first matter involved the old Banner Elk Day Care Building and the proposed exchange with Lees McRae College. Ms. Poore handed out a copy of the survey of the EMS site in Banner Elk and a copy of the proposed deed from Lees McRae College to the county for this property. As the board may recall, the property where the EMS building sits is owned by Lees McRae College and the county has leased this property for use. The building is owned by the county. Through discussions with Lees McRae College, they are interested in leasing the old Banner Elk Day Care Building and they have agreed to deed this 0.75 acre tract to the county outright in return for a 9 year 9 month 20 day lease on the old Banner Elk Day Care Building. In the packet there is a copy of the proposed lease agreement with Lees McRae College. There is a copy of an email indicating the approval of the lease. The deed that I passed out in front of you today is the revised deed. There is also a resolution that needs to be approved.

Chairman Poteat stated in "layman's terms" Avery County currently has an EMS building in Banner Elk that Avery County owns but sits on land that we do not own. We would like to have the land that the EMS building sits on and Lees McRae would like to lease the old Banner Elk Daycare Building. The highest and best use for the day care property is for Lees McRae College. This requires approval of a resolution which covers all of the documents. The chairman is authorized to execute any documents necessary to carry out the exchange and lease.

Motion by Glenn Johnson and second by Phyllis Forbes to authorize the exchange of real property located on Beech Haven Drive, Banner Elk, NC being the tract that the existing EMS Building is located and a lease of that property known as the old Banner Elk Day Care consisting of 0.77 of an acre for a term of 9 year 11 months and 20 days and authorizing the chairman of the board to execute any documents necessary to carry out the lease exchange including the lease agreement. Motion unanimously approved.

Proposed Purchase Contract and Resolution Regarding the Puckett Surplus Property

Ms. Poore handed out a survey of the property known as the Puckett House which is a 0.66 acre that has been surveyed out and declared surplus. There has been an offer made on the property. Mike Lacey has been trying to sell this property for some time for the county. There is a process that the county needs to follow with this. There is a copy of the contract and a resolution that the board needs to consider. This process is a little bit different; when the county is selling property like this that has been declared surplus, if the county decides to accept the offer from Kevin and Cynthia Williams for \$75,025.00 (they have paid a 5% deposit with the Clerk's office) then there is a notice that has to be published in the newspaper. There is a 10 day period when someone can file an upset bid. This allows other individuals the opportunity to come in and make a little more money for the county. I am asking the county if they want to consider a resolution to accept the offer. I am asking the board to approve the resolution if the board chooses to.

Woodie Young, interim county manager, stated that this offer was contingent on the power being turned on and they have 30 days to check it. Reo Griffith stated that he had discussed with Woodie the safety issue of charging the house. Woodie said Joe Trivette went over and turned the main breaker off in the building. The only power that would be coming to the building would be coming from Mountain Electric to the panel box. The prospective buyers have been told that when they are there they can turn it on but when they finish what they are doing the main needed to be turned back off. Mike Lacey has cautioned the prospective buyers. Arrangements have been made with Mountain Electric to send a man and do a walk through and see what they would need to turn the power on. According to what the board decides this afternoon, Mountain Electric is ready to send someone over in the morning. Reo Griffith stated the main thing was that their concern was the well not the building and that it might be better to put in a temporary to serve the well and not charge the home.

Chairman Poteat said that it should be added to the resolution that the county will help to get power to the well.

Motion by Martha Hicks and second by Reo Griffith to approve the purchase contract in the agenda packet with the provision that the county would facilitate providing power to the well by generator or other temporary means and not be necessarily turning the power on to the home and also authorize the resolution to be changed also.

Glenn Johnson said that he was all for this but if all else fails if this is not acceptable to the purchaser and if for some reason the county could not turn the well on with the generator then I would want to say to proceed as recommended with extreme caution. **Mr. Johnson said he would like the motion to be modified that if this cannot be done then we would proceed as recommended. Mr. Griffith stated that we should give the power to the chairman to make the call of the power being turned on to the house.**

Martha Hicks and Reo Griffith were acceptable with the modification to the motion.

Motion unanimously approved.

Resolution Requested by United Community Bank

Ms. Poore stated that this resolution was not in the packet. This resolution was requested by United Community Bank to change the signature card on the bank account. This is to amend the signature card. This is to show that Tim Greene and Kenny Poteat is authorized signatories at United Community Bank. The signature card included Tim Greene, Kenny Poteat and Robert Wiseman but to take Robert's name off then a resolution had to be adopted.

Motion by Reo Griffith and second by Phyllis Forbes to remove Robert Wiseman's name from the signature card with Kenny Poteat and Tim Greene's names left on the card. Motion unanimously approved.

Agenda Consent Items

Adopted by Consensus of the Board.

Reo Griffith stated that he had met with the DOT superintendent concerning treatment of the roads this winter. DOT is \$5,000,000 short. There will be no treatment on secondary roads. If a fire truck or ambulance is dispatched to a secondary road DOT will dispatch a load of treatment.

Martha Hicks said she had heard two different explanations of this and would like Jerry Coombs to be at the next meeting to explain what will be happening.

Ms. Hicks also commented that she routinely gets a report for the Sheriff's Office regarding overtime. She said that overtime with the sheriff's office and the jail had been up for the past couple of months.

Upcoming Meetings

The next regular meeting will be Monday, November 3, 2014 at 3:30 p.m.

Adjourn

**Motion by Phyllis Forbes and second by Glenn Johnson to adjourn this meeting at 4:49 p.m.
Motion unanimously approved.**

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

ATTEST: _____
Cindy Turbyfill, Clerk