

**STATE OF NORTH CAROLINA  
COUNTY OF AVERY**

The Avery County Board of Commissioners met in a Special Meeting on Monday, January 13, 2014 at 3:30 p.m. in the Commissioners Board Room, Avery County Administrative Complex, 175 Linville Street, Newland, NC. The purpose of the special meeting was to conduct business from the regularly scheduled meeting on Monday, January 6, 2014 that was cancelled due to inclement weather.

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.  
Glenn Johnson led prayer.

Robert Wiseman, County Manager, requested that the agenda item regarding the School Resource Officer Grant be moved up on the agenda because Mr. David Burleson, Avery County School Superintendent, had a Board of Education meeting beginning at 4:30 p.m.

Consensus by the Board to shift the agenda placing the agenda item regarding the School Resource Officer Grant at 3.3A.

**Public Comments**

There were no public comments.

Reo Griffith thanked the county employees including deputies, EMS workers and trash site workers for being on the job during the bitter cold weather.

Martha Hicks commented that Avery County had a good "crew" of employees and that everyone worked together well.

Glenn Johnson also commented that Avery County had some of the best and hardest working county employees and that we should show them all of the respect and dignity that all of them deserves.

Glenn Johnson also updated the Board on the Smoky Mountain Center. The merger with the Smoky Mountain Center and Western Highlands Network has been approved so there are now 23 catchment counties in the Smoky Mountain Center. The other issue was the make-up of the Smoky Mountain Board and Avery County among other counties not having representation on that Board. My understanding that next Thursday the 23<sup>rd</sup> will be the old Board's (myself included) last meeting. The issue before was whether we as a county are going to approve the new Board make-up. Of the 23 counties, there were still 7 that had not brought that before their board and had not signed up on that. Watauga County had not approved it. We have 30 days after the secretary signs the new Board make-up document to approve that. As of right now we have no communication that the new board make-up has been signed. If and when the secretary signs that document, we will worry about it then. I wanted to bring you up to date on this matter.

Chairman Poteat stated that if anyone would like to speak to an agenda item you must sign up to be able to do that.

**School Resource Officer Matching Grant – David Burleson; Troy Cook**

Chairman Poteat stated that absolutely there was no offense to the presenters today and there is some worthy requests today but these requests total up to \$62,700 worth of new monies. We are not talking about the worthiness of any one of these but I want everyone to realize that this is well over \$60,000 just today in budget amendments.

Mr. Burleson stated that this request is one that has come to you during the summer as a Cops grant but unfortunately Avery County did not receive that grant. Troy Cook worked hard on that but there was a lot of requests. When we got word we didn't receive that grant we went after a grant through the Department of Public Instruction. This grant is one for a school resource officer in a school other than a high school. We would purpose to place this school resource officer at Freedom Trail/Cranberry Middle School and also working at Riverside and in doing so we would have all of our schools covered by law enforcement. We would not have someone actually on site at all of them but they would all be covered by law enforcement. The high school, Avery Middle and Crossnore would have the resource officer that is at the

high school. The resource officer we are talking about today would cover Freedom Trail/Cranberry Middle and Riverside. Newland Police Department helps out at Newland Elementary and Banner Elk Police Department helps out at Banner Elk. This grant is a 2 to 1 match. The state pays two dollars to every one dollar. Each year the grant is for \$60,000. This year since we are starting late this grant would be for \$30,000; \$20,000 from the state and \$10,000 from the county. It is renewable after two years. If at any chance the county did not have the funding, we would not get the grant. We are half way into this year so it would end the 2015/2016 school year. We are asking the commissioners to fund \$10,000 to finish this year out and the state would fund \$20,000. This grant is for salaries, fringe benefits and training. The whole grant is \$58,200 with \$900 of training for the entire year. We are asking for you to consider this. We live in a world where we don't know what might happen. I truly believe an armed officer in a school could deter a lot of those problems.

Reo Griffith questioned if it can be guaranteed that this money spent on a new deputy sheriff/resource officer is going to be on the school sites when the children are at school. Chief Dallas Pate stated that this is correct.

Tim Greene, Finance Officer, stated that this was a grant for the school board not a grant for the county. What we would need to do is budget for a new employee and all associated expenses, equipment, vehicle, or whatever it is. We would budget the revenue from the school board and we would just bill them like we are billing for the current resource officer. We will budget a new employee and associated expenses. The way we would pay for it is the reimbursement from the school and "x" number of dollars out of fund balance. If you are in favor of doing this, then Troy and Dallas can get together on the equipment and then we can do another budget amendment. This grant will cover two thirds of the salary and some training.

Chairman Poteat said it is hard to vote on something that is unknown. Glenn Johnson said we spoke about this in the budget process and we chose at that time to put it off in anticipation of the grant and the grant did not materialize but in the meantime another grant did. We were all in agreement that we would do this. Commissioner Johnson asked what the figure was that was discussed during budget. Chairman Poteat read from the minutes that \$48,000 was what was discussed.

Dallas Pate said that Bob Johnson was supposed to take this position and he has been trained, has the equipment and the vehicle. A reserve officer will be taking Mr. Johnson's place and he has the equipment.

Chairman Poteat stated that in his opinion he feels the majority of the Board feels school safety is high on the list and the majority of the Board would approve \$15,000 to \$20,000. Some things are more worthy than others.

**Motion by Reo Griffith and second by Glenn Johnson to spend up to \$15,000 local match with the county to fund the resource officer position for the funds to be received from the school board of \$30,000. Motion unanimously approved.**

#### **Annual Audit Report – Sharon Gillespie**

Sharon Gillespie, Auditor, reported on the annual audit for the period ending June 30, 2013. The tax collection percentage is 96.67% that is up from the 2012 year.

Reo Griffith questioned what spendable dollars the county had excluding the 8% that is state mandated. Ms. Gillespie stated that on June 30, 2013 there was an 18% fund balance. The 8% mandate is a bare minimum. The unassigned fund balance excluding the 8% is a little over \$3,000,000. You did expect to have to get into the fund balance to balance the budget you are in now and looking at that the \$3,000,000 just went down to 1.5 million. Glenn Johnson said we know that the 8% is state mandated but the recommended fund balance for counties our size is about 20%. Phyllis Forbes stated that when she first went in as a commissioner Avery County was below the 8% mark and the local government commission asked us what we were going to do to turn this around. My point is that we don't want to go there again.

**Motion by Martha Hicks and second by Phyllis Forbes to approve the annual audit report for the period ending of June 30, 2013. Motion unanimously approved.**

#### **Tax Administrator Report – Phillip Barrier**

##### **Tax Collections Report**

The total tax collections for the month of December 2013 was \$5,171,297.

**Motion by Martha Hicks and second by Phyllis Forbes to approve the Tax Collections for the month of December 2013 as presented. Motion unanimously approved.**

**Regular Releases**

The Total Releases for the month of December 2013 was \$8,044.88. A couple of these were to rebill the correct owner.

**Motion by Phyllis Forbes and second by Glenn Johnson to approve the Regular Releases for the month of December 2013 as presented. Motion unanimously approved.**

**Motor Vehicle Releases**

The Total Motor Vehicle Releases for the month of December 2013 was \$711.50.

**Motion by Martha Hicks and second by Phyllis Forbes to approve the Motor Vehicle Releases for the month of December 2013 as presented. Motion unanimously approved.**

**Motor Vehicle Refund**

The total Motor Vehicle Refunds for the month of December 2013 was \$9.20.

**Motion by Martha Hicks and second by Phyllis Forbes to approve the Motor Vehicle Refund for the month of December 2013 as presented. Motion unanimously approved.**

Phillip Barrier explained the Tax Listing Notice for 2014. The Elderly Exemption threshold went up to \$28,600.

**2014 Revaluation Study**

In 2010 we were at 4.3 billion dollars of property in this county. We are down about 22% in sales. That would bring the assessed value to 3.4 billion dollars. Mr. Barrier explained the 2012-2014 sales in the different areas.

Glenn Johnson questioned if Mr. Barrier was prepared to tell what this drop in the valuation would mean in dollars and cents. Mr. Barrier said he could have that information at the February meeting. Commissioner Johnson said he had been trying to prepare people for the inevitable. We have been very fortunate in this county until the recession in building up a really good tax base. Of the 21% drop, some of the gated communities fell 34%. These gated communities have fallen drastically in value. My property and some locals may have not fallen any or very little and in some cases it might have went up a little. Some 62% of the \$26,000,000 coming in this county is through ad valorem or property taxes; 16% is sales tax and the rest is other revenues. If we have lost almost 1 billion dollars in tax value then it is not going to be a pretty sight come budget time. We cannot make up this dollar figure with cuts alone. Of the 62% ad valorem taxes the true gated communities have been paying 58% of that. The local people have enjoyed a very good ride here and now that gap is going to start closing a little bit.

**County Manager Updates - Robert Wiseman**

**Courthouse Renovation**

Robert Wiseman, County Manager, reported that the courthouse renovation project was approximately two weeks behind schedule but the project was going well so far. The employees have had to put up with a lot during this renovation. We may be a couple of weeks late on moving probation and parole services. We are hoping for an August 2014 completion of this project.

**Letter of Support**

Mr. Wiseman requested that a letter of support be approved for the Urgent Repair Program. Michelle Ball had spoken at last month's meeting regarding this program.

**Motion by Martha Hicks and second by Glenn Johnson to approve the Letter of Support for the Urgent Repair Program. Motion unanimously approved.**

**Budget Amendment – Vehicle – Jerry Moody**

Jerry Moody, Avery County Agricultural Extension Director, requested that the Board consider a new county vehicle for Doug Hundley. Mr. Moody explained that Mr. Hundley's truck was in very poor condition; the frame broke in to for the second time and the break could not be welded. Mr. Moody stated that Joe Trivette had gotten several quotes on state contract. He said that the low bid was for a Ford F150 but that Mr. Trivette had recommended the Silverado. This vehicle would have to be a four wheel drive because of all the farms and places that Mr. Hundley visits. Mr. Hundley's old truck has almost \$200,000 miles on it. Glenn Johnson questioned if there was a need for an extended cab truck rather than a regular cab. Mr. Moody answered that there were multiple times that Mr. Hundley had

multiple growers out together. Reo Griffith questioned if there was a four wheel drive in the county fleet that could be shared. Mr. Wiseman advised that every vehicle that was road worthy was being utilized at this time. Mr. Johnson questioned what Mr. Hundley was currently driving. Mr. Moody answered that he did not have anything to drive. Chairman Poteat stated that his concern was about the state possibly phasing out the extension office in Avery County. Mr. Moody stated that Mr. Hundley was a county employee and the truck would remain in Avery County if there was a change of business in the extension office.

**Motion by Glenn Johnson and second by Martha Hicks to approve the purchase of a Ford F150 truck in the amount of \$24,000 to replace Doug Hundley's vehicle. Motion unanimously approved.**

**Budget Amendment – Undercoating of Sheriff's Vehicles – Dallas Pate**

Dallas Pate, Chief Deputy for Avery Sheriff's Office, reported to the Board that the Sheriff's Office was getting ready to scrap two of the Dodge vehicles and that there were two more in question due to the frames being rusted to the point that they are not road worthy. We have used up 76% of the vehicle maintenance budget at this point. Mr. Pate stated that he had been checking into undercoating the newer vehicles that have no significant rust and that Auto Image in Newland would do the rubberized undercoating at the best price. Mr. Pate advised that he had been told that just undercoating the vehicles would add about 3 years to the life of the vehicles. We have to do something; we are running out of vehicles. Mr. Pate suggested that as soon as new vehicles are purchased that they should be undercoated also.

**Motion by Phyllis Forbes and second by Martha Hicks to approve a Budget Amendment in the amount of \$3250.00 to undercoat a total of 10 vehicles for the Avery County Sheriff's Office.**

Reo Griffith suggested that the attorney contact Chrysler Corporation about the damage that Avery County has to the Dodge vehicles. Ms. Poore stated that she would look into this further.

**Motion unanimously approved.**

**Budget Amendment –E911 Funds – Jamey Johnson**

Jamey Johnson, Communications Director, explained he was requesting a budget amendment for a command post which is part of the E911 phone systems. A command post takes two phone lines and an internet line. A command post would be used if there was an occasion when the 911 center would have to be evacuated. When the phone system was updated in 2006, the command post was an eligible expense. When we purchased the new phone system in 2012, the command post was deemed not an eligible expense because Avery County did not have a backup plan. The backup plan essentially is a backup E911 center that seats the same amount of dispatchers that we have now which would cost between \$300,000 to \$500,000. Mr. Johnson said this was not feasible. The command post is a backup E911 phone that is capable of moving off site and being able to take E911 calls in case there is an evacuation of the 911 center.

Tim Greene stated that the budget amendment was for money already spent that would need to be paid back to the E911 fund or the state would hold all the money in that fund.

**Motion by Martha Hicks and second by Phyllis Forbes to approve a budget amendment of \$16,010.00 for E911 fund reimbursement from the General Fund. Motion unanimously approved.**

**Finance Officer Report – Tim Greene**

**Budget Amendment**

The Senior Center has received \$6,207.00 from the NC Department of Insurance to be used for counseling Medicare recipients.

**Motion by Martha Hicks and second by Phyllis Forbes to approve the Budget Amendment of \$1739.00 with a debit of \$1,430.00 to Salaries-Other (105960.0210); debit of \$109.00 to FICA-Administration (105960.0500); debit of \$200.00 Supplies- Office/Janitorial (105960.3300) and a credit of \$1,739.00 to Senior Services – State Grant (103671.0000). Motion unanimously approved.**

**County Attorney Report – Michaëlle Poore**

**Avery Fire Commission Documents**

Michaëlle Poore, County Attorney, advised the Board that the Avery Fire Commission had approved the revised Memorandum of Understanding and the contracts for the fire departments. The highlighted parts of the MOU are what changed. The main change in the MOU was how the assets would be titled jointly.

**Motion by Phyllis Forbes and second by Martha Hicks to approve the revised Memorandum of Understanding between the Avery County Fire Commission and the Avery County Board of Commissioners. Motion unanimously approved.**

**Motion by Glenn Johnson and second by Martha Hicks to approve the six month contracts for each individual fire department. Motion unanimously approved.**

**Grandfather Mountain Tax Appeal**

Ms. Poore stated that she hoped to have decision from the Court of Appeals by the fall.

Glenn Johnson stated that he had a conversation with Mr. Penn Dameron. He had gotten a letter from Grandfather Mountain and this letter went out to some 1100 people. In next to the last paragraph it stated that due to the combined tax increase levied by the state of North Carolina and Avery County they had to increase their ticket prices by 6.75%. I did reach out to him somewhat in stating that the majority of this Board felt we should go forth with the lawsuit in fairness to the other taxpayers. My primary point was that Avery County did not have the power to levy anything without going to the state legislature and then the voters of Avery County. In the course of the conversation, he said the seminars that he had was that Avery County had the choice on whether to accept that or not. I went to Tim Greene and he pulled up some information from the state and he put in a call to the Department of Revenue and we do not have a choice. Tim, myself and Mr. Dameron was on the phone together and he asked what he could do to rectify this. He was apologetic for the incorrect information. In my mind it was a little bit of a stab to Avery County and I did let him know that.

**Approval of Minutes**

**Motion by Martha Hicks and second by Glenn Johnson to approve the December 2, 2013 Regular Session Minutes. Motion unanimously approved.**

**Agenda Consent Items**

Reo Griffith stated "every month or seems like every month we are having to do line item transfers in the economic development budget. This is January and I have obtained some receipts and invoices from Mr. Greene and done some calculations. We are borrowing from Peter to pay Paul and Peter is going to be bankrupt one of these days. We have new line items specifically 4900.1310 that is not funded yet. The utility costs and so forth at AC PRIDE are way above what the rent is going to be paying. Under the term of our only lease, the county is receiving \$350.00 of rent with \$35.00 of that amount being designated for utilities and maintenance. In November the taxpayers paid the remaining of \$1037 for heating fuel, electricity, water, sewer. Mr. Chairman and fellow board members there are problems with this budget. It is just taking from one line item to another. There is very few thousands of dollars left in this budget." Tim Greene stated that this money was originally budgeted in one line item so I created some extra line item. I am shifting from one line item to a separate one. Chairman Poteat questioned if there was guidelines of line item transfers. Mr. Greene said that we give the departments latitude to manage their budget. Salary line items cannot be transferred. Mr. Johnson questioned if economic development was currently over budget. Mr. Greene said that it was not.

Mr. Johnson questioned Mr. Greene if Mr. Griffith had requested information on any other departments besides economic development or the sheriff's department. Mr. Greene said he believed that would be all. Mr. Johnson said "I might ask why all of the questions with those two departments and not any with the other departments although we see line item transfers throughout the county budget so why the questions on those two particular departments."

Chairman Poteat stated that it was his opinion that all of us as individuals have the right to be passionate about any particular area of county government that we desire and we should not necessarily question that. When we have our budget retreat, I think we need to discuss line item transfers.

Mr. Johnson stated "It appears to me that there is a political agenda geared up toward the May election going on here from some group of people within Avery County. It appears to me that the whole point here is to create a lot of smoking mirrors, questions, confusion, innuendos, half-truths, allegations, accusations and doubts. If you can create enough of those things among enough of the voters in Avery County and maybe you have enough to get some of this group of people elected but I believe this group of people is much smaller than they might think. I also believe that they may be vastly underestimating the intelligence of the Avery County electorate."

**Agenda Consent Items Adopted by Consensus.**

**Adjourn**

**Motion by Martha Hicks and second by Glenn Johnson to adjourn this meeting at 6:11 p.m.  
Motion unanimously approved.**

---

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

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