STATE OF NORTH CAROLINA  
COUNTY OF AVERY  

The Avery County Board of Commissioners met in Regular Session on Monday, April 5, 2021 in the Commissioners Board Room, Avery County Administrative Complex, 175 Linville Street, Newland, NC.

Members Present: Martha Hicks, Chair; Tim Phillips, Vice-Chair; Dennis Aldridge; Wood Hall Young, Jr.; Blake Vance

Members Absent: None

Call To Order  
Chair Hicks called the meeting to order at 3:30 p.m.  
Chair Hicks led prayer.  
The Pledge of Allegiance was recited.

Public Comment  
Dr. John Boyd spoke to the Board regarding the upcoming budget. Dr. Boyd stated that Mayland was requesting $20,000 more for armed security from 8:00 a.m. until 5:00 p.m. for the main campus and early college and that he had met with the three Sheriffs from Avery, Mitchell and Yancey counties and the three Sheriffs recommended the armed security.

Dr. Boyd also commented that Mayland Community College was rated #23 in the nation for community colleges and #1 in the nation for workforce credentials.

Review of Planning Board Applicants and Jury Commission Applicant  
Applications for the Planning Board and Jury Commission to be reviewed. These applications will be considered for approval at the next Board meeting.

Oasis Update  
Sarah Crouch with Oasis updated the Board regarding Oasis. Oasis provides free and confidential services for victims of domestic and sexual violence. April is sexual assault awareness month. Services that Oasis provides include shelter and housing program; crisis support services; 24/7/365 Crisis line; medical advocacy; judicial systems advocacy; community education; prevention programming; and information and referrals. Ms. Crouch reported that 102 victims of sexual and domestic violence in Avery County had been served.

Ms. Crouch stated that Oasis had applied for the grant from the county and was asking for $5,000.

Chair Hicks thanked Ms. Crouch for her presentation and that their application for grant money would be considered in the upcoming budget meetings.
Jeff Jaynes, Chief Financial Officer for the Avery County Schools, reported that the Facility Needs Survey for the Avery County Schools must be submitted every five years to the Department of Instruction. Based on the data that has been collected and the opinion of other partners in maintaining the school district’s facilities, we have identified potential projects for the next ten years. These projects are estimated at approximately $3,390,285.00. The projects are as follows:

- Cranberry Middle School Roof Replacement estimated at $1,581,975 (within 5 years)
- Riverside Elementary School Roof Replacement estimated at $732,330.00 (within 5 years)
- Crossnore Elementary School Boiler Replacement estimated at $59,250.00 (within 10 years)
- Newland Elementary School Heat Pump Systems Replacement (52 units) estimated at $276,105.00 (within 10 years)
- Riverside Elementary School Chiller Replacement estimated at $740,625 (within 10 years)

Mr. Jaynes stated that he wanted to make the Board aware that we are reaching the end of life for the football field turf. We are investigating what it is going to take to replace that. Also, the stadium lighting is in need of replacement. There is nothing wrong except the candle output is not sufficient according to the NC Athletic Association to host playoff games. We can still play our normal games but if we wanted to host playoff games we could not. That is not in the report so I just wanted to make you all aware of this.

Motion by Wood Hall Young, Jr. and second by Blake Vance to approve the North Carolina Department of Instruction Facility Needs Survey for 2020/2021. Motion unanimously approved (5-0) Hicks—Aye; Phillips—Aye; Aldridge—Aye; Young---Aye; Vance—Aye

Toe River Regional Hazard Mitigation Plan Update Resolution
WHEREAS, Avery County is vulnerable to an array of hazards that can cause loss of life and damages to public and private property; and

WHEREAS, Avery County desires to seek ways to mitigate situations that may aggravate such circumstances; and

WHEREAS, the development and implementation of a hazard mitigation plan can result in actions that reduce the long-term risk to life and property from natural hazards; and

WHEREAS, it is the intent of the Avery County Board of Commissioners to protect its citizens and property from the effects of hazards by preparing and maintaining a local hazard mitigation plan; and
WHEREAS, it is also the intent of the Avery County Board of Commissioners to fulfill its obligation under North Carolina General Statutes, Chapter 166A: North Carolina Emergency Management Act and Section 322: Mitigation Planning, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act to remain eligible to receive state and federal assistance in the event of a declared disaster affecting Avery County; and

WHEREAS, Avery, McDowell, Mitchell and Yancey Counties and the participating municipalities within those Counties has prepared a multi-jurisdictional hazard mitigation plan with input from the appropriate local and state officials;

WHEREAS, the North Carolina Division of Emergency Management and the Federal Emergency Management Agency have reviewed the Toe River Regional Hazard Mitigation Plan for legislative compliance and have approved the plan pending the completion of local adoption procedures;

NOW, THEREFORE, BE IT RESOLVED that the Avery County Board of Commissioners hereby:

1. Adopts the Toe River Regional Hazard Mitigation Plan Update; and
2. Agrees to take such other official action as may be reasonably necessary to carry out the proposed actions of the Plan.

Motion by Tim Phillips and second by Blake Vance to adopt the Resolution regarding the Toe River Regional Hazard Mitigation Plan Update. Motion unanimously approved (5-0) Hicks—Aye; Phillips—Aye; Aldridge—Aye; Young---Aye; Vance—Aye

Lease Agreement---Altamont Convenience Site
Phillip Barrier, Jr., County Manager, explained that the lease agreement presented was for the Altamont Convenience Site. The lease is between the County of Avery and the State of North Carolina, the North Carolina Department of Agriculture and Consumer Services, Forest Service Division. This lease is a ten year lease.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to approve the Lease agreement and authorize the County Manager to sign. Motion unanimously approved (5-0) Hicks—Aye; Phillips—Aye; Aldridge—Aye; Young---Aye; Vance—Aye

Resolution to Request Authority to Levy Occupancy Taxes Pursuant to the North Carolina General Statutes

WHEREAS, tourism is a growing industry in Avery County, and the County desires to promote Avery County as a tourism destination; and

WHEREAS, Avery County previously had authority to levy a room occupancy tax; and
WHEREAS, the County desires to levy an occupancy tax to help defray the cost to promote travel and tourism in and to Avery County, to help defray tourism related expenditures, and to defray any cost allowed by law; and

WHEREAS, the County further desires to have additional funds to promote the County as a tourism destination, and finds that an occupancy tax would help achieve this goal;

NOW THEREFORE, the Board of Commissioners of Avery County hereby request the North Carolina Legislature authorize the County to levy a room occupancy tax up to 6% pursuant to NCGS 153A-155 and NCGS 105-164(a)(3).

Motion by Dennis Aldridge and second by Tim Phillips to adopt the Resolution to Request Authority to Levy Occupancy Taxes Pursuant to the North Carolina General Statutes. Motion unanimously approved (5-0) Hicks—Aye; Phillips—Aye; Aldridge—Aye; Young—Aye; Vance—Aye

**Tax Administrator Report – Bruce Daniels**

**Tax Collections Report**

The Tax Collection Report for the month of March 2021 is $677,441.87.

Motion by Dennis Aldridge and second by Wood Hall Young, Jr. to approve the Tax Collections as presented. Motion unanimously approved (5-0) Hicks—Aye; Phillips—Aye; Aldridge—Aye; Young—Aye; Vance—Aye

Mr. Daniels noted that the collection rate for 2021 so far is 97.81%.

**Releases**

The Releases for the month of March 2021 is $593.63.

Motion by Blake Vance and second by Wood Hall Young, Jr. to approve the Releases for the month of March 2021. Motion unanimously approved (5-0) Hicks—Aye; Phillips—Aye; Aldridge—Aye; Young—Aye; Vance—Aye

**Sales**

There were 94 qualified sales for the month of March 2021; there were 44 qualified sales in March 2021.

**Board of Equalization and Review**

The Board of Equalization and Review must be appointed by the Board of Commissioners. The board is comprised of five members. The following individuals have applied for the Board of Equalization and Review: Edith Traver; Clay Dale; Moses Braswell; Amy Vaughn; Samuel Woodie.
Motion by Wood Hall Young, Jr. and second by Tim Phillips to approve the members of the Board of Equalization and Review; Edith Traver, Clay Dale, Moses Braswell, Amy Vaughn and Samuel Woodie. Motion unanimously approved (5-0) Hicks—Aye; Phillips—Aye; Aldridge—Aye; Young—Aye; Vance—Aye

The Board of Commissioners must appoint the Chair and Vice-Chair for the Board of Equalization and Review.

Motion by Tim Philips and second by Dennis Aldridge to appoint Edith Traver as Chair of the Avery County Board of Equalization and Review. Motion unanimously approved (5-0) Hicks—Aye; Phillips—Aye; Aldridge—Aye; Young—Aye; Vance—Aye

Motion by Wood Hall Young, Jr. and second by Dennis Aldridge to appoint Clay Dale as the Vice-Chair of the Avery County Board of Equalization and Review. Motion unanimously approved (5-0) Hicks—Aye; Phillips—Aye; Aldridge—Aye; Young—Aye; Vance—Aye

County Manager Updates – Phillip Barrier, Jr.

Covid-19
There are 59 active cases in Avery County as of today; 30.6% of the population has been vaccinated at this time. We have first dose available for this week and anyone that wants a vaccination can call 828-733-8273.

Broadband
Possible allowable uses for the American Rescue Plan Act can be necessary investments in broadband infrastructure. There will be more information coming along about this plan.

Finance Officer Report – Caleb Hogan

Budget Amendment
Avery County has received a grant in the amount of $600.00 from the Avery County Farm Bureau to provide lunches and supplies for people helping with the Covid-19 vaccination clinics.

Motion by Blake Vance and second by Dennis Aldridge to adopt the Budget Amendment in the amount of $600.00 with a debit of $600.00 to Supplies (104200.3300) and a credit of $600.00 to Donations (103345.0000). Motion unanimously approved (5-0) Hicks—Aye; Phillips—Aye; Aldridge—Aye; Young—Aye; Vance—Aye

Budget Amendment
Avery County has received a grant in the amount of $300.00 from Josh Anthony Insurance Services to provide lunches and supplies for people helping with the Covid-19 vaccination clinics.
Motion by Tim Phillips and second by Dennis Aldridge to adopt the Budget Amendment in the amount of $300.00 with a debit of $300.00 to Supplies (104200.3300) and a credit of $300.00 to Donations (103345.0000). Motion unanimously approved (5-0) Hicks—Aye; Phillips—Aye; Aldridge—Aye; Young—Aye; Vance—Aye

Budget Amendment
Avery County Sheriff’s Office has received a reimbursement from the NCACC liability and property pool for the purchase of three brush guards for their trucks.

Motion by Blake Vance and second by Tim Phillips to adopt the Budget Amendment in the amount of $1500.00 with a debit of $1500.00 to Capital Outlay—Auto (105100.7400) and a credit of $1500.00 to Law Enforcement Support (103616.0000). Motion unanimously approved (5-0) Hicks—Aye; Phillips—Aye; Aldridge—Aye; Young—Aye; Vance—Aye

Budget Amendment
Avery County Sheriff’s Office has received a reimbursement from the NCACC worker’s compensation pool for the purchase of three bullet proof vests.

Motion by Dennis Aldridge and second by Blake Vance to adopt the Budget Amendment in the amount of $1500.00 with a debit of $1500.00 to Capital Outlay—Equipment (105100.7410) and a credit of $1500.00 to Law Enforcement Support (103616.0000). Motion unanimously approved (5-0) Hicks—Aye; Phillips—Aye; Aldridge—Aye; Young—Aye; Vance—Aye

Budget Amendment
Due to increased revenues, the Avery County Sheriff’s Office requires an increase in the concealed carry weapons permits line item.

Motion by Dennis Aldridge and second by Tim Phillips to adopt the Budget Amendment in the amount of $12,000.00 with a debit of $12,000.00 to Concealed Weapon Permits (105100.5720) and a credit of $12,000.00 to Concealed Weapon Fees (103613.0000). Motion unanimously approved (5-0) Hicks—Aye; Phillips—Aye; Aldridge—Aye; Young—Aye; Vance—Aye

County Attorney Report – Michaele Poore
Michaele Poore, County Attorney, stated that the process had begun to update the ordinances with the new 160D statutory changes. The plan is to have those revised ordinances submitted to the planning board in April and after that schedule the public hearings and then have everything approved by July 1, 2021.

Closed Session
Motion by Blake Vance and second by Tim Phillips to go out of Regular Session and into Closed Session regarding Attorney/Client Privilege (G.S. 143-318.11 (a)(3) at 4:41 p.m. Invitees are the Board, County Manager, County Attorney and
Clerk. Motion unanimously approved (5-0) Hicks—Aye; Phillips—Aye; Aldridge—Aye; Young---Aye; Vance—Aye

Chair Hicks declared the meeting to be back in Regular session at 5:03 p.m. During Closed Session, no vote was taken.

Motion by Wood Hall Young, Jr. and second by Tim Phillips to accept the settlement agreement regarding the Department of Social Services and Juanita Cantrell. Motion unanimously approved (5-0) Hicks—Aye; Phillips—Aye; Aldridge—Aye; Young---Aye; Vance—Aye

Agenda Consent Items
Adopted by Consensus of the Board.

Approval of Minutes
Motion by Wood Hall Young, Jr. and second by Tim Phillips to approve the February 8, 2021 Board Workshop and March 1, 2021 Regular Meeting. Motion unanimously approved (5-0) Hicks—Aye; Phillips—Aye; Aldridge—Aye; Young---Aye; Vance—Aye

Upcoming Meetings
The next Regular Meeting will be May 3, 2021 at 3:30 p.m. There will be a budget workshop on April 29, 2021 at 2:00 p.m.

Adjourn
Motion by Tim Phillips and second by Wood Hall Young, Jr. to adjourn this meeting at 5:08 p.m. Motion unanimously approved (5-0) Hicks—Aye; Phillips—Aye; Aldridge—Aye; Young---Aye; Vance—Aye

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Martha Hicks, Chair
Avery County Board of Commissioners

ATTEST: ________________________
Cindy Turbyfill, Clerk