

Ashe County

150 Government Circle
Jefferson, NC 28640



Meeting Minutes - Draft

Monday, October 16, 2017

9:00 AM

Commission Meeting Room

County Commission

*Chairman William Sands
Vice Chair Paula Perry
Commissioner Jeff Rose
Commissioner Gary Roark
Commissioner Larry Rhodes*

BUSINESS SESSION**I. 9:00 AM - Meeting Called to Order at the Ashe County Courthouse**

Chairman Sands called the meeting of the Ashe County Board of Commissioners to order at 9:00 a.m. in the commissioners' meeting room at the Ashe County Courthouse.

Present: 5 - Commissioner Jeff Rose, Commissioner Larry Rhodes, Commissioner William Sands, Commissioner Gary Roark and Commissioner Paula Perry

II. Pledge of Allegiance/Opening Prayer

Commissioner Rhodes led the Pledge of Allegiance and Vice Chairman Perry offered the opening prayer.

III. Approval of Minutes

[MIN 17-45](#) October 2, 2017 Regular Session Minutes

Attachments: [10-16-17 October 2, 2017 Regular Session Minutes](#)

Commissioner Rose made a motion to approve the October 2, 2017 Regular Session Minutes as written. Commissioner Roark seconded the motion. The motion passed with unanimous approval.

Approved

For: 5 - Commissioner Rose, Commissioner Rhodes, Commissioner Sands, Commissioner Roark and Commissioner Perry

IV. Adoption of Agenda

Commissioner Rose made a motion to adopt the agenda with the addition of a resolution to award the badge and service sidearm to retiring Lieutenant Detective Dennis Anders and the addition of a proclamation proclaiming October as Domestic Violence Awareness Month. Vice Chairman Perry seconded the motion. The motion passed with unanimous approval.

Approved

For: 5 - Commissioner Rose, Commissioner Rhodes, Commissioner Sands, Commissioner Roark and Commissioner Perry

V. Public Comment

No comment was offered.

VI. Presentations

[PRES](#) 9:05 AM - Public Hearing - Resolution to Relocate the Lansing and Pond
[17-100](#) Mountain Fire Service District Boundaries

Attachments: [10-16-17 Resolution-Lansing&Pond Mtn Fire Svc Districts](#)

Chairman Sands read the resolution to relocate the Lansing and Pond Mountain fire service district boundaries. Emergency Management Coordinator Patty Gambill explained that Lansing and Pond Mountain fire service districts both are inspected by the

Department of Insurance and have established ratings. The request to relocate boundaries came about because Pond Mountain Fire Department constructed a third fire substation which placed some citizens within six miles of the substation and not within six miles of the Lansing station. This caused the citizens to not be in a rated area which affects the homeowner's insurance rates. The affected citizens signed a petition requesting to change their fire insurance district. Emergency Management Coordinator Gambill met with both fire departments and discussed the petition request. Both fire departments agreed that the change would be in the best interest of the citizens. Lansing Fire Department Fire Chief Jeff Venable told the Board that the change would lower insurance rates for homeowners affected. Currently, they are working to further lower ratings which would in turn lower citizen's insurance rates. Chief Venable also told the Board that plans are underway to build a second substation in Big Horse Creek and the Upper Helton areas. Currently, the fire department has 40 members which is the most they have ever had. With no further comment, Chairman Sands then opened the Public Hearing at 9:12 a.m. No comment was offered and the Public Hearing was closed at 9:13 a.m. Commissioner Roark made a motion to adopt the resolution to relocate the Lansing and Pond Mountain fire service district boundaries. Commissioner Rose seconded the motion. The motion passed with unanimous approval.

Adopted

For: 5 - Commissioner Rose, Commissioner Rhodes, Commissioner Sands, Commissioner Roark and Commissioner Perry

PRES
17-101

9:15 AM - Tax Administrator Chris Lambert - Monthly Tax Report - September 2017

Attachments: [10-16-17 Monthly Tax Report - September 2017](#)

Tax Administrator Chris Lambert presented the Monthly Tax Report for September 2017. Commissioner Rhodes made a motion to approve the report as presented. Commissioner Rose seconded the motion. The motion passed with unanimous approval.

Approved

For: 5 - Commissioner Rose, Commissioner Rhodes, Commissioner Sands, Commissioner Roark and Commissioner Perry

PRES
17-102

9:20 AM - County Manager Sam Yearick - Proposal to Amend the Ashe County New Employee Probationary Period

County Manager Sam Yearick passed out information regarding a proposal to amend the probationary period for new employees. The proposal reads as follows: "As an extension of the hiring process, all employees shall serve a probationary period of one year. Any employee promoted to a new position or any employee that accepts a position in another department shall serve a new probationary period. A department head may extend the probationary period at his/her discretion for an additional period not to exceed one year. The employee must be notified of the extension in writing with the reasons(s)". County Manager Yearick told the Board that he polled department heads and there were 17 in favor of changing the probationary period. Chairman Sands believes the proposal needs to come before the Personnel Policy Committee for approval first. County Manager Yearick answered that he understood the Personnel Policy Committee was an ad-hoc committee made up of department heads. Chairman Sands stated that the Personnel Policy Committee has been active and met on January 12, 2017 at the request of the county manager to review policies. The committee was made up of three department heads and four employees from different levels. He believes it is a good idea to have input from all levels of employees. Commissioner Rose stated that the majority of the

department heads are in favor of the proposed change. Commissioner Rhodes stated that the Personnel Policy Committee has been in effect for many years. He read an email to the Personnel Policy Committee from County Manager Yearick. Commissioner Rhodes added that he is a strong advocate of having the committee made up of employees other than supervisors because lower level employees best understand the work that is being done. Vice Chairman Perry thought that this issue was discussed earlier in the year and it was decided to match the same outline as guidelines used by the state. Chairman Sands answered that the Personnel Policy Committee met in January 2017 and discussed this and did not recommend a change to the policy. He stated that if this is implemented that it needs to begin with new hires only. County Manager Yearick is afraid there may be a problem when an employee's non-probationary period begins before another employee that has been working longer and is still on probation. He told the Board that the period of how long a person can be on probation needs to be capped. Chairman Sands then asked for direction on how the Board wants to proceed. After additional discussion by the Board, Chairman Sands asked if the Board wants the Personnel Policy Committee to review the issues again. A motion was not made and no action was taken by the Board.

PRES
17-103

9:30 AM - County Manager Sam Yearick - Update on Fire Training Facility

County Manager Sam Yearick passed out information pertaining to two items on the agenda. He requested to consolidate the two agenda items regarding the Fire Training Facility; 1) Update on the fire training facility, and 2) Ashe County Fire & Rescue Association Commitment Agreement. He told the Board that the Ashe County Fire & Rescue Association is in the process of obtaining interim financing on the fire training facility from Life Store Bank. After financing approval, engineers will review the project and the bidding process will begin. County Manager Yearick provided a PowerPoint presentation depicting the facility concept. He explained that the estimated cost to construct the facility is \$1,175,000. Next, he answered questions from the Board. He also explained the request from Life Store Bank regarding the construction loan. Commissioner Rhodes stated, and several Board members agreed, that he thought this had previously been agreed to. Commissioner Rhodes then made a motion to approve the construction loan commitment for the Ashe County Fire and Rescue Training Facility as presented. Commissioner Rose seconded the motion. The motion passed with unanimous approval.

County Manager Yearick provided an update on the recent meeting held to set up a new board for the Todd Fire Department.

Approved

For: 5 - Commissioner Rose, Commissioner Rhodes, Commissioner Sands, Commissioner Roark and Commissioner Perry

PRES
17-104

9:40 AM - County Manager Sam Yearick - Update on Family Central Facility

County Manager Sam Yearick passed out information pertaining to the Family Central facility. He explained improvements that have been made since the County took over responsibility of the building April 1, 2017. Carolina Consultants is handling the new operation and maintenance program to cover the building. A new name for the facility is also being developed that will advertise the building as a business complex and recreation center. County Manager Yearick told the Board that the Partnership for Children held an auction recently of equipment in the building. There were tables, chairs and a floor cleaning machine worth approximately \$12,000 that will need to be replaced.

Funding intended to replace flooring can be used to replace this equipment. The NC Department of Health and Human Services office and the Partnership for Children will move from the building by the end of the year. County Manager Yearick spoke about plans to possibly move some of the Health Department operations to the Family Central facility. Chairman Sands asked if upcoming rent the Partnership for Children pays the County can be kept to a minimum considering the amount of money they have put into the Family Central facility and the work they do for the community. County Manager Yearick stated that he hoped to not send them a bill adding that replacement of the auctioned equipment would be sufficient. Kim Barnes, director of Ashe Partnership for Children, explained that the Partnership Board voted in May to dispose of any items they could not use in the new facility which is smaller than the space being used at Family Central. They sold the floor cleaner and eight tables at the auction, left two tables for Parks and Recreation to use, and took the balance to the landfill for disposal. The Partnership for Children originally purchased the tables and floor cleaner. Commissioner Rhodes questioned why the rent charged is so high that the Partnership for Children is having to move out of Family Central. He stated concern that the building will now be advertised for businesses to use. The County is not in the business to make money. The County is supposed to serve citizens through organizations such as the Partnership for Children. County Manager Yearick stated that the rent for Partnership for Children was not increased when the County took over the Family Central building. When questioned by Commissioner Roark, Ms. Barnes stated that the Partnership for Children has always paid \$1 per year for rent in exchange for managing the building, paying for utilities and renovations. She was told that the rent would be around \$12/square foot of rented space. This would have increased their rent to over \$50,000 per year. County Manager Yearick stated that it would take a year of the County managing the facility before an actual cost for operating the building would be known. Vice Chairman Perry asked the county manager about invoicing for current renters. He answered that this was behind due to adopting the budget, multiple public records requests, issues with Todd Fire Department, and interviews with SBI agents. Vice Chairman Perry suggested that if this happens again for a person to be delegated to oversee the process. County Manager Yearick answered that Parks and Recreation Director Scott Turmyre is handling a lot of the issues involved with the transition at Family Central. He believes there is a real need in the County for office space with ample parking. No further discussion was held.

PRES
17-105

9:50 AM - County Manager Sam Yearick - Ashe County Fire & Rescue Association Commitment Agreement

Discussion on this item was included in PRES-17-103 - Update on Fire Training Facility.

GENERAL SESSION

Resolutions

RES 17-5

Resolution Awarding Badge & Service Sidearm to Retiring Officer Thomas Kelley Stephens

Attachments: [10-16-17 Resolution Awarding Badge&Sidearm to Retiring Officer K. Stephens](#)

Commissioner Rose made a motion to adopt the resolution awarding the badge and service sidearm to retiring Officer Kelley Stephens. Commissioner Roark seconded the motion. The motion passed with unanimous approval.

Adopted

For: 5 - Commissioner Rose, Commissioner Rhodes, Commissioner Sands, Commissioner Roark and Commissioner Perry

RES 17-6 Resolution Awarding Badge & Service Sidearm to Retiring Lieutenant Detective Dennis Anders

Attachments: 10-16-17 Resolution Awarding Badge&Svc Sidearm-Dennis Anders

Commissioner Rhodes made a motion to approve the resolution awarding the badge and service sidearm to retiring Lieutenant Detective Dennis Anders. Commissioner Rose seconded the motion. The motion passed with unanimous approval.

Adopted

For: 5 - Commissioner Rose, Commissioner Rhodes, Commissioner Sands, Commissioner Roark and Commissioner Perry

Proclamations

PRO 17-3 Domestic Violence Awareness Month Proclamation

Commissioner Rose made a motion to adopt the proclamation setting aside October 2017 as Domestic Violence Awareness Month. Commissioner Rhodes seconded the motion. The motion passed with unanimous approval.

Adopted

For: 5 - Commissioner Rose, Commissioner Rhodes, Commissioner Sands, Commissioner Roark and Commissioner Perry

Other Items for Consideration

MISC 17-27 Adoption of 2018 County Holiday Schedule

Attachments: [10-16-17 Holiday Schedule for 2018](#)

Chairman Sands made a motion to adopt the 2018 County Holiday Schedule as presented. Commissioner Rhodes seconded the motion. The motion passed with unanimous approval.

Approved

For: 5 - Commissioner Rose, Commissioner Rhodes, Commissioner Sands, Commissioner Roark and Commissioner Perry

VII. Commissioner Comments

VIII. Announcements

IX. Executive Session

Commissioner Rhodes made a motion to enter into Executive Session to discuss Legal Issues as provided for under G.S. 143-318.11 (a) (3) regarding the Combs' property lawsuit. Commissioner Roark seconded the motion. The motion passed with unanimous approval. Chairman Sands declared the Board into Executive Session at 10:41 a.m. and out of Executive Session at 11:03 a.m. Commissioner Rhodes made a motion to approve the Memorandum of Agreement regarding the proposed cleanup of the Combs'

property subject to final inspection and approval by the county manager and the execution of the agreement. Commissioner Roark seconded the motion. The motion passed with unanimous approval.

Approved

For: 5 - Commissioner Rose, Commissioner Rhodes, Commissioner Sands, Commissioner Roark and Commissioner Perry

ES 17-17

Executive Session - G.S. 143-318.11 (a) (3) - Legal Issues (Combs Property Lawsuit)

X. Adjournment

Commissioner Rose made a motion to adjourn the meeting at 11:05 a.m. Chairman Sands seconded the motion. The motion passed with unanimous approval.

Approved

For: 5 - Commissioner Rose, Commissioner Rhodes, Commissioner Sands, Commissioner Roark and Commissioner Perry

Citizens with disabilities requiring special needs to access the services or public meetings of Ashe County Government should contact the County Manager's Office three days prior to the meeting by calling (336) 846-5501.

William Sands, Chairman

Ann J. Clark, MMC, NCCCC
Clerk to the Board