

Ashe County

*150 Government Circle
Jefferson, NC 28640*



Meeting Minutes - Draft

Monday, December 18, 2017

9:00 AM

Commission Meeting Room

County Commission

*Chairman William Sands
Vice Chair Paula Perry
Commissioner Jeff Rose
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. at the Ashe County Courthouse.

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**IV. Adoption of Agenda**

Chairman Sands stated that presentation 17-118 will be combined with 17-121; County Attorney John Kilby will present information regarding a resolution passed by the commissioners earlier in the year; and Larry Ward, chair of the Ashe County Republican Party will present recommendations to fill the vacant seat on the commission board. Commissioner Rose made a motion to adopt the agenda with the recommended amendments. Commissioner Rhodes seconded the motion. The motion passed with unanimous approval.

Adopted

For: 4 - Commissioner Rose, Commissioner Rhodes, Commissioner Sands and Commissioner Perry

V. Public Comment

Chairman Sands opened the floor for comments from the public.

Chief Deputy Rick Clayton announced that Marc Kitts has been promoted to Detective Lieutenant which will create a vacant Detective Sergeant position. He went on to praise all law enforcement employees during the recent challenges. He told the Board that the detention center is operating very smoothly. He also thanked the Board for their support and asked for their continued support.

Donald Nelson made comments regarding legal actions against the County resulting from public records requests. He stated that public record law has an exemption for law enforcement mobile phone numbers issued to sworn law enforcement officers. He believes the district attorney misled the grand jury and the public about the applicability of public record law.

No further comment was offered.

VI. Presentations

PRES
17-117

Tax Administrator Chris Lambert - Monthly Tax Report

Attachments: [12-18-17 Monthly Tax Report](#)

Tax Administrator Chris Lambert presented the monthly Tax Report for November 2017.

Commissioner Rhodes made a motion to approve the November 2017 Tax Report as presented. Commissioner Rose seconded the motion. The motion passed with unanimous approval.

The tax administrator presented two late applications for present use tax value. General Statute guidelines require all late applications to go before the commissioners for approval. Mr. Harold Bowlin spoke to the Board stating that he inherited property 20 years ago. A decision was made to divide the property between four heirs. The property has been in present use value and he did not realize that he would need to apply when the property was divided. Commissioner Rhodes stated concern that the Board must remain consistent in action taken on late applications even though there are good reasons for submitting a late application. Commissioner Rhodes then made a motion to deny the two late applications for present use value. Vice Chairman Perry seconded the motion. The motion passed with unanimous approval.

Approved

For: 4 - Commissioner Rose, Commissioner Rhodes, Commissioner Sands and Commissioner Perry

PRES
17-122 County Attorney John Kilby - Request for the Board to Meet with Department of Environmental Quality Regarding Resolution Passed by the Board

Attachments: 12-18-17 DEQ Resolution-Asphalt Plant

County Attorney John Kilby spoke to the Board regarding a resolution passed by the commissioners earlier in the year requesting the Department of Environmental Quality (DEQ) to reconsider the air and stormwater permit regarding the Glendale Springs asphalt plant. After the resolution passed, County Attorney Kilby wrote a letter to the DEQ secretary regarding the resolution. He received a reply last week from the DEQ and they are willing to sit down and discuss the issue with the Board. The Board needs to decide the type of forum in which to meet with the DEQ representatives. Commissioner Rhodes suggested to meet in an open forum. Vice Chairman Perry agreed and made a motion for the commissioners to meet in open forum with the DEQ representatives. Commissioner Rhodes seconded the motion. The motion passed with unanimous approval.

Approved

For: 4 - Commissioner Rose, Commissioner Rhodes, Commissioner Sands and Commissioner Perry

PRES
17-118 County Manager Sam Yearick - Sheriff's Office Request for Replacement of (2) Retiree Sidearms & Request to Upgrade (5) Weapons

Attachments: [12-18-17 Sheriff's Office Request for Replacement of Sidearms](#)

County Manager Sam Yearick made a request to transfer contingency funds to cover the cost for the Sheriff's Office to replace two sidearms that were issued to retired deputies in the amount of \$936.46 and to upgrade five weapons for officers in the amount of \$795.00. Chairman Sands questioned utilizing equipment expense funds for the replacement weapons and if the weapon upgrades could wait until the next budget year. Chief Deputy Rick Clayton told the Board that projected revenues for the jail are \$400,000 but the actual revenues total \$1.1 million. Commissioner Rose made a motion to replace the two sidearms that were issued to retired officers. Vice Chairman Perry seconded the motion. Commissioner Rhodes requested that the motion be amended in order to remain

consistent with prior funding requests, and that the expense be appropriated from the Sheriff's Office general fund. Commissioner Rose agreed to amend the motion on the floor. With no further comments from the Board, Chairman Sands called for a vote to the motion on the floor. The amended motion passed with unanimous approval. Next, Commissioner Rose made a motion to approve the upgrade of five weapons and for funding to be appropriated from the Sheriff's Office general fund. Commissioner Rhodes seconded the motion. The motion passed with unanimous approval.

Commissioner Rhodes requested that Chief Deputy Rick Clayton provide an update on the jail inmate population at the next meeting of the Board.

Approved

For: 4 - Commissioner Rose, Commissioner Rhodes, Commissioner Sands and Commissioner Perry

PRES
17-120

George Morrison, Airport Advisory Board Chair & Eric Payne, Airport Director - Request to Increase the Community Hangar Monthly Rental Rates

Attachments: [12-18-17 Airport Request for Community Hangar Rate Increase](#)

Airport Advisory Board Chair George Morrison provided a brief history of the Ashe County Airport. He explained the two types of hangars at the airport. An individual hangar requires an annual 12-month lease renewal. A community hangar which houses between six and nine aircraft is rented on a monthly basis and requires no lease agreement. The rental rate on the community hangars has been unchanged since 1977 and runs approximately \$2 per day. Airport Manager Eric Payne contacted other airports to find out what they charge for community hangar rent. He found that all of the other airports charge two or three times the rate that Ashe County Airport charges. The Airport Advisory Board prepared a proposal to increase the rent from \$65 per month for a single engine aircraft to \$130 per month, and to increase the rent for a multi-engine aircraft from \$130 per month to \$150 per month. Commissioner Rhodes made a motion to approve the proposal to increase the community hangar rental fee as proposed by the Airport Advisory Board effective February 1, 2018. Commissioner Rose seconded the motion. The motion passed with unanimous approval. Airport Advisory Board Chair George Morrison told the Board that he will come back before the Board in the spring with a proposal to increase the rent on individual hangars. Airport Manager Eric Payne passed out an update regarding the airport to the commissioners.

Approved

For: 4 - Commissioner Rose, Commissioner Rhodes, Commissioner Sands and Commissioner Perry

PRES
17-123

Republican Party Executive Committee Chair Larry Ward - Presentation of Candidates to Fill the Board Vacancy Created by the Resignation of Gary Roark

Larry Ward, chairman of the Republican Party Executive Committee, presented three candidates to fill the vacancy on the Board resulting from the resignation of Commissioner Gary Roark. He told the Board that a special meeting of the Republican Party Executive Committee was held on December 16th. The following three candidates were chosen to present to the commissioners for consideration to fill the vacant position: Terry Sexton, Todd McNeill, and John Wheeler. Chairman Sands asked the Board how they wish to proceed regarding the vacant position. Vice Chairman Perry stated that she would like to place the item on the next agenda for a vote by the Board. Commissioner

Rhodes stated concern for the urgency to fill the position and asked County Attorney John Kilby if the Board could vote today. County Attorney Kilby responded that the Board could vote today. Commissioner Rose would like to vote at the next meeting. Vice Chairman Perry then made a motion to add consideration of filling the Board vacancy on the January 2, 2018 agenda. Commissioner Rose seconded the motion. The motion failed 2 - 2, with Commissioner Rhodes and Sands voting in opposition. Without a passing motion to vote on the replacement at today's meeting, the issue will be added to the January 2, 2018 agenda for consideration.

Continued

For: 2 - Commissioner Rose and Commissioner Perry

Against: 2 - Commissioner Rhodes and Commissioner Sands

GENERAL SESSION

Appointments

APP 17-18 Appointments and Reappointments to the Juvenile Crime Prevention Council (JCPC)

Attachments: [12-18-17 JCPC Appointments-Reappointments](#)

Commissioner Rhodes made a motion to reappoint Pam Barlow to the position of Chief District Judge, Sam Yearick to be reappointed to the position of County Manager, both for a term of two years; and for R. Scott Perry to fill the vacancy for the position of Chief Court Counselor created by the retirement of Bill Davis for a two-year term (2017 - 2019), Patricia Turner to fill the vacancy of the Member of Faith Community for a one-year term (2017 - 2018) on the Juvenile Crime Prevention Council. Commissioner Rose seconded the motion. The motion passed with unanimous approval.

Appointment(s) Approved

For: 4 - Commissioner Rose, Commissioner Rhodes, Commissioner Sands and Commissioner Perry

APP 17-19 Appointment to Fulfill Gary Roark's Remaining Term on the Rural Transportation Advisory Committee

Attachments: [12-18-17 RTAC Appointment](#)

Chairman Sands stated that this item will be added to the January 2, 2018 agenda for consideration of the appointment of a commissioner to fill the vacancy on the Board created by the resignation of Gary Roark.

Continued

VII. Commissioner Comments

VIII. Announcements

IX. Executive Session

X. Adjournment

Commissioner Rhodes made a motion to adjourn the meeting at approximately 9:52 a.m.

Commissioner Rose seconded the motion. The motion passed with unanimous approval.
Approved

For: 4 - Commissioner Rose, Commissioner Rhodes, Commissioner Sands and
Commissioner Perry

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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