

Ashe County

*150 Government Circle
Jefferson, NC 28640*



Meeting Minutes - Draft

Monday, March 5, 2018

9:00 AM

Second Floor Conference Room

County Commission

*Chairman William Sands
Vice Chair Larry Rhodes
Commissioner Jeff Rose
Commissioner Paula Perry
Commissioner Todd McNeill*

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

Chairman Sands called the Regular Meeting of the Ashe County Board of Commissioners to order at 9:00 a.m. in the second floor conference room at the Ashe County Courthouse.

Present: 4 - Commissioner Larry Rhodes, Commissioner William Sands, Commissioner Paula Perry and Commissioner Todd McNeill

Absent: 1 - Commissioner Jeff Rose

II. Pledge of Allegiance/Opening Prayer

Commissioner Perry led the Pledge of Allegiance and Commissioner McNeill offered the opening prayer.

III. Approval of Minutes

MIN 18-63 February 19, 2018 Regular Session Minutes

Attachments: [03-05-18 February 19, 2018 Regular Session Minutes](#)

Vice Chairman Rhodes made a motion to approve the February 19, 2018 Regular Session minutes as written. Commissioner Perry requested that a correction be made to MISC 18-37 to change "For: 5" to "For 3". Commissioner McNeill seconded the motion with the correction as noted. The motion passed with unanimous approval.

Approved as Amended

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

IV. Adoption of Agenda

Chairman Sands stated that the following two items need to be added to the agenda: 1) Resolution awarding the badge and service sidearm to retiring deputy Dean Eldreth, and 2) Consideration for payment of legal expenses for three County employees. Vice Chairman Rhodes made a motion to adopt the agenda as amended. Commissioner McNeill seconded the motion. The motion passed with unanimous approval.

Adopted

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

V. Public Comment

Chairman Sands opened the floor for comments from the public.

Mary Stanley of Warrensville told the Board that the Holy Spirit led her to speak to the Board regarding the proposed \$5000 fee for K9 Nyla Jean. She believes the dog has served the County well and that the dog has more than paid her dues. Ms. Stanley stated that other counties give K9's to their handler upon retirement. The dog has brought revenue into the County and should be sold to the handler for \$1, or given to him for free.

No further comment was offered.

VI. Presentations**PRES**
18-156

9:05 AM - Priscilla Norris, CPA - Approval of 2017 Audit

Attachments: [03-05-18 Audit Report 2017](#)

Priscilla Norris, CPA, presented the 2017 Audit Report for approval by the Board. Ms. Norris provided an explanation of findings in the audit. The overall tax collection for real property increased from 95.46% to 95.92% and there were no overbudgeted expenditures. She told the Board that there was an increase of \$274,556 in the total Fund Balance. Vice Chairman Rhodes made a motion to approve the 2017 Audit Report as presented. Commissioner Perry seconded the motion. The motion passed with unanimous approval.

Approved

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

PRES
18-157

9:10 AM - Priscilla Norris, CPA - Approval of Amended 2017 Audit Contract

Attachments: [03-05-18 2017 Audit Contract Amendment](#)

Priscilla Norris, CPA, presented a request for approval of an amended 2017 Audit Contract. Ms. Norris explained a delay which resulted in the need for an amendment to the contract. Vice Chairman Rhodes made a motion to approve the 2017 Audit Contract as amended. Commissioner Perry seconded the motion. The motion passed with unanimous approval.

Approved

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

PRES
18-158

9:15 AM - Gene Painter with Riverview Community Center - Proposal for Riverview Community Center Gym

Attachments: [03-05-18 Riverview Community Center Gym Request](#)

Gene Painter provided an overview of programs offered at Riverview Community Center. He explained that due to the distance to town, many of the children living in the Riverview Community use the gym. The heater needs repair which could possibly be done by County employees. Flooring, lighting and plumbing needs will need to be addressed later. Mr. Painter told the Board that both children and adults use the gym. He is asking if County employees could check heating and lighting and provide an estimate for repairs. Mr. Painter will come back before the Board with an estimate of funds needed. County Manager Yearick stated that he will have County maintenance employees check the issues. Vice Chairman Rhodes asked if Mr. Painter has met with the Riverview Community Center Board. Mr. Painter answered that he has and it was recommended for him to make a presentation and request to the commissioners.

PRES
18-159

9:25 AM - County Manager Sam Yearick - Update on the Fire Training Facility

Attachments: [03-05-18 Fire Training Facility Update](#)

County Manager Yearick provided an update on the Fire Training Facility. He told the Board that construction on the facility should be completed by late 2018.

PRES
18-161

9:30 AM - Patricia Calloway, Executive Director & Mary Owen, Finance Officer with Ashe Services for Aging - Home & Community Care Block Grant for Older Adults County Funding Plan Revision

Attachments: [03-05-18 H&CCBG Program Budget Revision](#)

Ashe Services for Aging Executive Director Patricia Calloway spoke to the Board regarding the Home & Community Care Block Grant for Older Adults. She explained that funds support several services offered to older adults that help them remain healthy and active. Finance Officer Mary Owens presented the H&CCBG revision for approval by the Board. She explained that approximately \$4356 was cut from the program last year. The state then restored those funds to the program. This allowed \$2819 to be added to Adult Day Health which equals 67 additional units. Also, \$1537 was added to Congregate Nutrition which equals 263 restored meals. Vice Chairman Rhodes made a motion to approve the H&CCBG County Funding Plan budget revision as presented. Commissioner Perry seconded the motion. The motion passed with unanimous approval.

Approved

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

PRES
18-162

9:40 AM - Finance Officer Sandra Long - Budget Amendments

Attachments: [03-05-18 Budget Amendments](#)

Finance Officer Sandra Long presented budget amendments for bookkeeping purposes to transfer funds to the appropriate department. Vice Chairman Rhodes made a motion to approve the budget amendments as presented. Commissioner Perry seconded the motion. The motion passed with unanimous approval.

Approved

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

PRES
18-164

10:00 AM - County Manager Sam Yearick - Sheriff's Office Position Changes

Attachments: [03-05-18 Sheriff's Office Position Changes](#)

County Manager Sam Yearick requested the Board to approve position changes for the following Sheriff's Office employees. David Upchurch, Lt. Detective General Crimes, Grade 68, Step 9, \$51,690.00; Jeremy Williams, Lt. Detective Narcotics, Grade 68, Step 5, \$46,887.00; Will Hicks, Sgt. Detective General Crimes, Grade 66, Step 1, \$39,096.00; and Tammy Jones, Accounting Tech III, Grade 65, Step 13, \$50,187.00.

Vice Chairman Rhodes made a motion to approve the changes as requested. Commissioner McNeill seconded the motion. The motion passed 3 - 1, with Commissioner Perry voting in opposition.

Approved

For: 3 - Commissioner Rhodes, Commissioner Sands and Commissioner McNeill

Against: 1 - Commissioner Perry

GENERAL SESSION

Resolutions

RES 18-11 Resolution Providing for the Formal Recognition and Appointment of the Personnel Policy Committee

Attachments: [03-05-18 Personnel Policy Committee Resolution Formal Appointment](#)

Vice Chairman Rhodes made a motion to adopt a resolution providing for the formal recognition and appointment of the Personnel Policy Committee. Commissioner Perry questioned why employees under state regulations are included as members on the committee. After discussion by the Board, Vice Chairman Rhodes called the question. Commissioner McNeill seconded the motion. The motion passed 3 - 1, with Commissioner Perry voting in opposition.

Adopted

For: 3 - Commissioner Rhodes, Commissioner Sands and Commissioner McNeill

Against: 1 - Commissioner Perry

RES 18-12 Resolution Awarding Badge & Service Sidearm to Retiring Deputy Dean Eldreth

Attachments: 03-05-18 Resolution Awarding Badge & Service Sidearm-Dean Eldreth

Vice Chairman Rhodes made a motion to adopt a resolution awarding the badge and service sidearm to retiring deputy Dean Eldreth. Commissioner Perry seconded the motion. The motion passed with unanimous approval.

Adopted

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

Appointments

APP 18-24 Recreation Advisory Board Appointment

Attachments: [03-05-18 Recreation Advisory Board Appointment - Jennifer Glass](#)

Vice Chairman Rhodes made a motion to reappoint Jennifer Glass to the Recreation Advisory Board. Commissioner McNeill seconded the motion. The motion passed with unanimous approval.

Appointment(s) Approved

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

Other Items for Consideration

MISC 18-38 Request for Restoration of Sick Leave and Longevity for Sheriff's Office

Employees

Attachments: [03-05-18 Sick Leave & Longevity Restoration for Sheriff's Office Employees](#)

The Board entered into discussion regarding a request for restoration of sick leave and longevity for several employees at the Sheriff's Office. Commissioner Perry referenced page 9 of the Personnel Policy. County Attorney Kilby stated that the Board has the authority to amend the policy. Vice Chairman Rhodes read recommendations by the county manager on this issue. County Attorney Kilby suggested that the recommendations be submitted to the Personnel Policy Committee and then be placed back on the agenda for the Board's consideration. Vice Chairman Rhodes made a motion to table a vote on the request. Commissioner McNeill seconded the motion. The motion passed with unanimous approval.

Tabled

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

MISC 18-41 Marsy's Law Update

County Attorney John Kilby told the Board that there is a lot of information online regarding Marsy's Law. The House has passed the bill and it is now pending in the Senate. If the Senate passes the bill, Marsy's Law will be placed on the November referendum. The Board asked that consideration of Marsy's Law be added to the next agenda.

VII. Commissioner Comments**VIII. Announcements****IX. Executive Session****X. Presentations**

[PRES
18-160](#)

Finance Officer Sandra Long - Mid-year Budget Review

Finance Officer Sandra Long made a PowerPoint presentation of the mid-year budget review.

**PRES
18-170**

Mickey Boyles - Request for K9 Nyla Jean

Mickey Boyles addressed the Board stating that he was told the issue surrounding his request for K9 Nyla Jean would be discussed at today's meeting. Sheriff Hartley explained that \$5000 was invested in the K9 and he has found out that the dog can be retrained to another handler. The last offer was for Mr. Boyles to pay \$5000 for the dog or turn it back over to the Sheriff's Office. Mary Boyles, wife of Mickey Boyles, asked what happened to other K9's that were at the Sheriff's Office. Mr. Boyles stated that all other K-9's have been given to the handler. County Manager Yearick stated that there is an ongoing Fair Labor Standards Act (FLSA) issue. This cannot be resolved today because the issue needs to be discussed with the county attorney. Mr. Boyles stated that neither the county manager nor the sheriff say that they have the authority to make a decision regarding the K9. He was told by the sheriff two weeks ago that the K9 program was

being discontinued and Mr. Boyles believes that essentially the dog has been retired. Chairman Sands stated that K9 Nyla Jean needs to be turned back over to the County and Sheriff Hartley stated that there is a person in line to take care of the dog. Mr. Boyles stated that if that is the case, he will file a lien against the County, similar to Mr. Buchanan's lien. He will turn the dog over after bills for care and maintenance have been paid.

XI. Adjournment

Vice Chairman Rhodes made a motion to adjourn the meeting at 11:08 a.m. Chairman Sands seconded the motion. The motion passed with unanimous approval.

Approved

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

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