

Ashe County

*150 Government Circle
Jefferson, NC 28640*



Meeting Minutes - Final

Tuesday, January 2, 2018

8:30 AM

Commission Meeting Room

County Commission

Chairperson Todd McNeill

Vice Chair William Sands

Commissioner Larry Rhodes

Commissioner Paula Perry

Commissioner Larry Dix

WORK SESSION - 8:30 AM

Chairman Sands called the Work Session to order at 8:30 a.m. Commissioner Rose arrived at 8:35 a.m.

Tax Administrator Chris Lambert presented a proposal of a procedure to dispose of foreclosed property. Research was done on the proposal by contacting other counties to see how they handle the disposal of foreclosed property and through research into the Machinery Act. County Attorney Kilby has a copy of the proposal that he is currently researching before the item will be added to an upcoming agenda for the Board's consideration.

Chairman Sands reviewed items on the agenda. Board members questioned the resolution on the agenda supporting a NCDOT project to improve the sight distance at the intersection of NC163 and SR1201 (Severt Road). The Board was in agreement for the clerk to contact the DOT representative in charge of the project with a request for him to make a presentation regarding the project at an upcoming meeting.

The Work Session was adjourned at 8:45 a.m.

Present: 4 - Commissioner Jeff Rose, Commissioner Larry Rhodes, Commissioner William Sands and Commissioner Paula Perry

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

Chairman Sands called the Regular Session to order at 9:00 a.m. at the Ashe County Courthouse.

Present: 4 - Commissioner Jeff Rose, Commissioner Larry Rhodes, Commissioner William Sands and Commissioner Paula Perry

II. Pledge of Allegiance/Opening Prayer

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

III. Approval of Minutes

[MIN 18-51](#) December 4, 2017 Regular Session Minutes

Attachments: [01-02-18 December 4, 2017 Regular Session Minutes](#)

Commissioner Rose made a motion to approve the December 4, 2017 Regular Session minutes as written. Commissioner Rhodes seconded the motion. The motion passed with unanimous approval.

Approved

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

[MIN 18-52](#) December 4, 2017 Executive Session Minutes

Commissioner Rose made a motion to approve the December 4, 2017 Executive Session

minutes as written. Commissioner Rhodes seconded the motion. The motion passed with unanimous approval.

Approved

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

[MIN 18-53](#)

December 18, 2017 Regular Session Minutes

Attachments: [01-02-18 December 18, 2017 Regular Session Minutes](#)

Commissioner Rose made a motion to approve the December 18, 2017 Regular Session minutes as written. Commissioner Rhodes seconded the motion. The motion passed with unanimous approval.

Approved

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

IV. Adoption of Agenda

Chairman Sands told the Board that an Executive Session to discuss legal issues as provided for under G.S. 143-318.11 (a) (3) needs to be added to the agenda for the Appalachian Materials lawsuit. Vice Chairman Perry asked the Board to consider allowing Larry Dix five minutes instead of the normal three minutes to speak at the Public Comment session regarding his desire to be considered as a candidate to fill the commission seat vacated by the resignation of Gary Roark. The Board was in agreement. With no further changes to the agenda, Commissioner Rhodes made a motion to adopt the agenda as amended. Commissioner Rose 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 Public Comment.

Larry Dix spoke to the Board requesting to be considered for the vacant seat on the Ashe County Board of Commissioners. He explained that when the Executive Committee of the Republican Party met recently that there was a question regarding the General Statute requirement for a candidate to be a member of the party for 90 days before being eligible to be appointed to the commission board. After research was conducted into statute requirements, an interpretation was made that the 90-day rule applies when a person is to be elected to the position, but not for appointment to the position. Mr. Dix also listed his experience and work history along with the desire to serve the citizens of Ashe County.

No further comments were made.

VI. Presentations

[PRES](#)
[18-124](#)

9:05 AM - Appointment of Commissioner to Fill Vacancy on Board
Created by the Resignation of Commissioner Gary Roark

Chairman Sands reviewed General Statute requirements for filling the vacant position on the Board of Commissioners as provided for under G.S. 153A-27. The requirements include for the replacement to be made by the Board of Commissioners within 60 days of the vacancy and that a replacement be of the same political party. The executive committee of the appropriate political party should be consulted for nominations to fill the position but the commissioners are not bound by the recommendations. If the commissioners are unable to fill the vacancy within 60 days, the responsibility to fill the position moves to the Clerk of Court who has 10 days to fill the position. The following individuals were recommended by the executive committee of the Republican Party: Terry Sexton, Todd McNeill, and John Wheeler. With no further comments, Commissioner Rhodes made a motion to appoint Todd McNeill to fill the vacant position created by the resignation of Gary Roark on the Board of Commissioners. Vice Chairman Perry seconded the motion. The motion passed with unanimous approval.

[PRES](#)
[18-126](#)

9:20 AM - Chief Deputy Rick Clayton - Update Regarding Jail Inmate Population

Chief Deputy Rick Clayton provided an update regarding the jail inmate population through November 2017. The Statewide Misdemeanant Confinement Program has brought in \$284,795.41. This program includes state inmates convicted of a misdemeanor and sentenced to more than 90 days in a county jail. Housing of out-of-county inmates has brought in \$215,840 through the end of November. Chief Deputy Clayton explained that these totals exceed the projected revenues by \$50,000 and they are now projecting a total revenue in these two programs of \$1 million through June 2018.

A request was also made for \$20,000 from Asset Forfeiture Funds (monies from the federal government for law enforcement seizures of properties) to outfit four new vehicles and for maintenance and repair of vehicles. He told the Board that there is approximately \$55,000 in the fund. Commissioner Rose made a motion to appropriate \$20,000 from Asset Forfeiture Funds as requested. Vice Chairman Perry seconded the motion. Commissioner Rhodes stated concern for the line item budget reduction made during the budget work sessions. With no further comments, Chairman Sands called for a vote to the motion on the floor. The motion passed 4-0, with Commissioners Sands, Perry and Rose voting in favor of the motion. Commissioner Rhodes abstained from voting resulting in a vote in the affirmative.

Approved

For: 3 - Commissioner Rose, Commissioner Sands and Commissioner Perry

Abstain: 1 - Commissioner Rhodes

[PRES](#)
[18-127](#)

9:30 AM - Economic Development Director Cathy Barr - Resolution Encouraging Congress to Create a Reliable, Predictable Stream of Resources to Address Deferred Maintenance Needs in America's National Park System

Attachments: [01-02-18 Resolution-National Park Systems Maintenance Needs](#)

Cathy Barr, Director of Economic Development, presented a resolution for commissioner approval that encourages congress to create a reliable resource stream for the America's National Park System deferred maintenance needs. The resolution is important to Ashe County because it affects maintenance of the Blue Ridge Parkway and could create jobs.

Adopted

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

[PRES
18-128](#)

9:40 AM - Emergency Management Coordinator Patty Gambill - Resolution to Adopt the High Country Regional Hazard Mitigation Plan

Attachments: [01-02-18 Resolution-High Country Regional Hazard Mitigation Plan](#)

Emergency Management Coordinator Patty Gambill presented a resolution for the Board to adopt the High Country Regional Hazard Mitigation Plan. Commissioner Rose made a motion to adopt the plan as presented. Commissioner Rhodes seconded the motion. The motion passed with unanimous approval.

The Hazard Mitigation Plan includes background on each county and municipality, an overview of past disaster damages, an assessment of natural hazard risks, what capabilities local governments have in general, and what their specific capabilities are. It also outlines mitigation goals, objectives and strategies created by the High Country Regional Hazard Mitigation Planning Committee which includes the emergency management coordinators of each county and other officials from the jurisdictions included in the plan. The goal of hazard mitigation planning is for local governments to take steps to reduce or eliminate long-term risk to human life and property from natural hazards, as well as reduce disaster recovery costs.

Adopted

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

GENERAL SESSION**Resolutions**

[RES 18-7](#)

Resolution in Support of NCDOT Project to Improve Intersection Sight Distance on NC 163 at SR 1201 (Severt Road)

Attachments: [01-02-18 Resolution-NCDOT Project Support-Intersection of NC163 & NC1201 Severt Rd](#)

The commissioners had questions regarding the project and the decision was made to table the resolution to a later meeting when the DOT representative that requested the resolution of support could be at the meeting to answer questions from the Board. Commissioner Rhodes made a motion to table a resolution to show support by the Board for a DOT project to improve intersection sight distance on NC163 at SR1201 (Severt Road). Vice Chairman Perry seconded the motion. The motion passed with unanimous approval.

Tabled

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

Other Items for Consideration

[MISC 18-32](#)

Announcement of Dates for Meetings that Occur on a Holiday in 2018
Tuesday, January 2, 2018

Tuesday, January 16, 2018
Tuesday, September 4, 2018

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

Commissioner Rhodes made a motion for the Board to enter into Executive Session as provided for under G.S. 143-318.11 (a) (3) to discuss legal issues regarding the Appalachian Materials lawsuit. Commissioner Rose seconded the motion. The motion passed with unanimous approval. Chairman Sands declared the Board into Executive Session at 9:47 a.m. and out of Executive Session at 10:05 a.m. with no action taken.

Approved

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

X. Adjournment

Commissioner Rose made a motion to adjourn the meeting at 10:06 a.m. Commissioner Rhodes seconded the motion. The motion passed with unanimous approval.

Approved

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