

Ashe County

*150 Government Circle
Jefferson, NC 28640*



Meeting Minutes - Final

Monday, May 7, 2018

9:00 AM

Commission Meeting 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. at the Ashe County Courthouse.

Present: 5 - Commissioner Jeff Rose, Commissioner Larry Rhodes, Commissioner William Sands, Commissioner Paula Perry and Commissioner Todd McNeill

II. Pledge of Allegiance/Opening Prayer

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

III. Approval of Minutes

[MIN 18-66](#) April 2, 2018 Regular Session Minutes

Attachments: [05-07-18 April 2, 2018 Regular Session Minutes](#)

Commissioner Rose made a motion to approve the April 2, 2018 Regular Session Minutes as written. Commissioner Perry seconded the motion. The motion passed with unanimous approval.

Approved

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

[MIN 18-70](#) April 2, 2018 Executive Session Minutes

Commissioner Rose made a motion to approve the April 2, 2018 Executive Session Minutes as written. Commissioner Perry seconded the motion. The motion passed with unanimous approval.

Approved

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

[MIN 18-68](#) April 16, 2018 Regular Session Minutes

Attachments: [05-07-18 April 16, 2018 Regular Session Minutes](#)

Commissioner Rose made a motion to approve the April 16, 2018 Regular Session Minutes as written. Commissioner Perry seconded the motion. The motion passed with unanimous approval.

Approved

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

[MIN 18-69](#) April 16, 2018 Executive Session Minutes

Commissioner Rose made a motion to approve the April 16, 2018 Executive Session Minutes as written. Commissioner Perry seconded the motion. The motion passed with

unanimous approval.

Approved

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

IV. Adoption of Agenda

Vice Chairman Rhodes made a motion to adopt the agenda with the amendment to add an 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.

Adopted

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

V. Public Comment

Chairman Sands opened the floor for public comment. No comments were offered.

VI. Presentations

[PRES](#)
[18-187](#)

9:05 AM - Elder Abuse Prevention Team - Elder Abuse Awareness Month Proclamation

Attachments: [05-07-18 Elder Abuse Awareness Month Proclamation](#)

Tommy McClure and Jamie Shepherd, members of the Elder Abuse Prevention Team, provided information regarding Elder Abuse Awareness Month. Mr. McClure told the Board that in 2005 the Elder Abuse Prevention Team was created consisting of members from multi-agencies to bring awareness to abuse of the elderly. So far this year there have been 126 reports of elder abuse as compared to last year when there were 127 reports for the entire year. The largest percentage of abuse reports stem from neglect, financial exploitation, and exploitation of prescription medications. He told the Board that an Opioid Forum will be held regarding the crisis in Ashe County on May 15th. Next, Jamie Shepherd read the Elder Abuse Awareness Month proclamation. Vice Chairman Rhodes made a motion to approve the proclamation as read. Commissioner Rose seconded the motion. The motion passed with unanimous approval.

Approved

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

[PRES](#)
[18-188](#)

9:15 AM - Jane Lonon, Director - Ashe County Arts Council Update & 40th Anniversary Proclamation

Attachments: [05-07-18 Ashe County Arts Council 40th Anniversary Proclamation](#)

Jane Lonon, director of Ashe County Arts Council, and Ed Percell, president of the Board of Directors, presented an informational update regarding the Arts Council and their 40th anniversary. Ms. Lonon utilized a PowerPoint presentation to update the Board on the Arts Council. Mr. Percell then read a proclamation for the 40th anniversary of the Arts Council. Vice Chairman Rhodes made a motion to adopt the 40th Anniversary proclamation. Commissioner Rose seconded the motion. The motion passed with unanimous approval.

Approved

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

[PRES
18-189](#)

9:30 AM - School Superintendent Phyllis Yates - Request for School Safety Funds

Attachments: [05-07-18 School Safety Funds Request](#)

School Superintendent Phyllis Yates presented a request for funding to address school safety needs. She explained that the Ashe County Schools (ACS) Safe Schools Committee was created after the school shootings in Florida. The committee works to address safety in schools which includes communication and facility upgrades. Each school has its own unique needs, but the plan includes installing a security vestibule at Mountain View and Westwood Elementary Schools. The other schools in the County are already equipped with these features. The total quote to install the security measures is \$66,046. The school system will cover any cost beyond this amount. The work needs to be scheduled to begin as soon as the school year ends so that it will be in place when students return to school in the fall. Ms. Yates told the Board that if the State appropriates funds for school safety purposes, funds from the County will be returned. Vice Chairman Rhodes made a motion to appropriate \$66,046 from Contingency Funds for school facility upgrades to address student and staff safety. Commissioner Rose seconded the motion. The motion passed with unanimous approval.

Approved

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

[PRES
18-190](#)

9:40 AM - School Superintendent Phyllis Yates - Resolution in Support of Statewide Referendum on Bond Issue for School Facility Needs

Attachments: [05-07-18 School Facility Needs Bond Referendum Resolution](#)

School Superintendent Phyllis Yates presented the 10-year Long Range Plan and Facility Needs for Ashe County Schools for a total of \$40.315 million. A resolution in support of a statewide referendum on a bond issue for school facility needs will be added to the next agenda for consideration by the Board.

[PRES
18-191](#)

9:50 AM - Personnel Policy Committee - Discussion of an Employee Recognition Program

Attachments: [05-07-18 Employee Recognition Program](#)

Planning Director Adam Stumb, who was representing the Personnel Policy Committee, presented a recommendation to implement an employee recognition program. Employee recognition would include a reward for employees based on years of service in five-year increments. A certificate and gift certificate are the suggested rewards. The proposal being presented would cost \$750 this year and again next year. Vice Chairman Rhodes suggested that increasing the reward amount be considered during the budget work sessions this year. Vice Chairman Rhodes then made a motion to approve the recommendation made by the Personnel Policy Committee to implement an employee recognition program as outlined in the attached information. Commissioner Rose seconded the motion. The motion passed with unanimous approval.

Approved

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

[PRES](#)
[18-192](#)

10:00 AM - Patricia Calloway, Executive Director of Ashe Services for Aging - Older Americans Month Proclamation

Attachments: [05-07-18 Older Americans Month Proclamation](#)

Patricia Calloway, executive director of Ashe Services for Aging, presented the Older Americans Month Proclamation for approval by the Board. Ms. Calloway explained that the theme for this year is Engage at Every Age. Commissioner Rose made a motion to approve the proclamation as read. Commissioner Perry seconded the motion. The motion passed with unanimous approval.

Approved

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

[PRES](#)
[18-193](#)

10:05 AM - Patricia Calloway, Executive Director of Ashe Services for Aging - Home & Community Care Block Grant (H&CCBG) Services Update

Patricia Calloway, executive director of Ashe Services for Aging, provided an update to the Board on Home & Community Care Block Grant (H&CCBG) services. Ms. Calloway explained the various programs made possible through the grant funds. An audit was performed on the grant and no deficiencies were found. She explained that the projected allocation for this year is \$7765 less due primarily to the funding formula. It is expected that Federal funds will increase and level out the total funds received.

[PRES](#)
[18-194](#)

10:10 AM - Patricia Calloway, Executive Director of Ashe Services for Aging - Senior Health Insurance Information Program (SHIIP) Annual Report

Attachments: [05-07-18 SHIIP Annual Report](#)

Glenda Luther, with Ashe Services for Aging, provided the annual report for the Senior Health Insurance Information Program (SHIIP). She updated the Board regarding activities planned at Ashe Services for Aging in honor of Older Americans Month. There are over 200 people that volunteer at Ashe Services for Aging. Ashe County participated in the SHIIP pilot program for 2017. Approximately 102,000 people across the State participated in the pilot program and saved a total of \$60 million in Medicare costs. In Ashe County over \$2 million was saved in Medicare costs because of the SHIIP program.

[PRES](#)
[18-195](#)

10:20 AM - Maria Julian, Appalachian District Health Department Director of Community Health Services - Community Health Assessment Report

Attachments: [05-07-18 Community Health Assessment Report](#)

Jennifer Green, director of the Appalachian District Health Department, introduced Maria Julian who is the director of Community Health Services. Ms. Julian provided a brief overview of the Community Health Assessment Report through a PowerPoint presentation. The information in the report comes through community member input from several different sources. The strategies listed in the assessment will be implemented over a three-year period. The report indicates the top two leading causes of death are heart disease and cancer. Also highlighted were concerns and priorities

surrounding mental health issues. Vice Chairman Rhodes voiced concern for mental health issues with high school students and what is being done. Ms. Julian answered that the ASC (Assessment, Support and Counseling) program has been implemented at the high school and the Top Dog Clinic is available for students at the middle school. Commissioner McNeill asked if there is involvement with the local farmer's market considering the high statistics of obesity in the report. Ms. Julian told the Board that the WIC (Women, Infants and Children) nutrition program and SNAP (Supplemental Nutrition Assistance Program) are promoted with the ability to use both at the Ashe County Farmers Market.

PRES
18-196

10:35 AM - Mount Jefferson Child Development Center (MJCDC) Board
Member Don Church - Discussion Regarding MJCDC Move to Family
Central

Mount Jefferson Child Development Center (MJCDC) Board Chair Don Church and Vice Chair Suzanne Black told the Board that the building they are currently located in has been sold and they need to move out by June 1, 2018. Mr. Church told the Board that a search has been underway to find property on which to build a new daycare center and they are in the process of acquiring a site. Until then, MJCDC is planning to use a portion of Family Central beginning the first of June. The problem they are running into is the cost of \$9.15 per square foot which is the rental rate at Family Central. Suzanne Black explained that they must follow early childhood specifications for daycare centers and will need to bring the space up to those standards. Available grant funding for temporary housing is \$30,000 a year. A request is being made to the commissioners to allow MJCDC to rent the space needed at Family Central for \$4.78 per square foot which would be \$30,000 for a full year. Commissioner Rose asked for an estimated length of time that they will need to rent space at Family Central. Suzanne Black estimated from 12 to 18 months. Chairman Sands asked what happened with the land that was donated to them. Mr. Church answered that the cost to supply water and sewer to the property was over \$250,000 and the soil was unstable and would not perk. Commissioner McNeill asked if they would be responsible for removal of any structures that are added at Family Central to bring the space up to State requirements. Mr. Church answered that these would be removed at their expense. Commissioner McNeill noted that this would be a landlord/tenant agreement and the County would not be subsidizing the daycare. Commissioner Rose made a motion to approve a landlord/tenant lease for 18 months. Chairman Sands asked if MJCDC has any other options. Mr. Church answered that they have no other options available. Vice Chairman Rhodes stated that the County got out of the daycare business several years ago. The other businesses and a church at Family Central are leasing at the rate of \$9.15 per square foot. He asked why should MJCDC not pay the same rate. Mr. Church answered that MJCDC is a non-profit that provides a valuable service. Vice Chairman Rhodes also asked how many other daycare centers are in Ashe County and why should the County not charge the normal rental rate. Vice Chairman Rhodes stated that the \$30,000 grant would cover the total cost to rent the space. He also stated that the County set up a line of credit for MJCDC several years ago that has not been repaid. He reiterated that this is taxpayer money. For several years MJCDC only paid \$1 per month rent. Vice Chairman Rhodes questioned the income received for 126 children at the daycare. He stated that the Board has to be consistent. In December 2015, a letter was mailed that MJCDC had secured a \$1.5 million loan from Northwestern Housing Enterprise. He asked when they were told they would have to vacate the building they are in. The answer was February 2018. Mr. Church stated that reducing the rental rate will help the 104 families that are served by MJCDC and if they don't receive help that it will be difficult for them to continue. Vice Chairman Rhodes asked where the \$600,000 income has gone since Northwestern Housing Authority took over MJCDC and MJCDC has not had to pay rent. Mr. Church

answered that they are saving the money. Chairman Sands questioned if it was fair to everyone else renting at Family Central. Commissioner McNeill asked if there is a break even amount on the rent charged at Family Central and if the \$4.78 rental rate MJCDC wants to pay will cover the County's costs. County Manager Yearick answered that it is difficult to answer that because of the fixed costs associated with operating Family Central. County Manager Yearick questioned if they would clean the rooms prior to moving. He stated that there are things that could reduce costs. Suzanne Black asked for time to negotiate. Commissioner Perry questioned costs. County Manager Yearick stated that the County has been in charge of Family Central for one year and is just now getting operating costs. The rent is based on Partnership for Children estimated costs. County Manager Yearick asked for the opportunity to work with MJCDC, to look at the space and cleaning costs. He will bring findings to the next meeting. Commissioner Rose withdrew his motion on the floor.

[PRES](#)
[18-197](#)

10:50 AM - County Attorney John Kilby - "Agreement to Represent"
Regarding Opioid Litigation

Attachments: [05-07-18 Opioid Crisis-Authority to Represent](#)

County Attorney John Kilby explained that the "Agreement to Represent" document to represent the County is a follow up to Attorney Powell's presentation at the last meeting regarding opioid litigation. A resolution was passed at the last meeting "declaring the opioid crisis a public nuisance which must be abated for the benefit of Ashe County and its residents and citizens". Attorney Kilby reviewed the agreement being presented today for approval. He explained that the County will not incur fees or expenses unless there is recovery. An issue addressed at the last meeting was how do we compute our part of the problem and our part of the settlement. County Attorney Kilby explained that information from Ashe County is entered into a model that generates the answer to these questions. Attorney Powell requests consideration of a public release of information that the County is participating in addressing the opioid crisis. County Attorney Kilby will assist with the public announcement. Vice Chairman Rhodes made a motion to approve the "Agreement to Represent" document. Commissioner Rose seconded the motion. The motion passed with unanimous approval.

Approved

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

[PRES](#)
[18-198](#)

11:00 AM - Planning Director Adam Stumb - Farmland Preservation Grant

Attachments: [05-07-18 Farmland Preservation Grant](#)

Planning Director Adam Stumb told the Board that last month the Board accepted a \$14,000 NC Department of Agriculture Farmland Preservation Trust Fund Grant. In order to proceed, the commissioners will need to approve a State Contract and a contract with the High Country Council of Governments. The grant funding will be used to help protect farmland and will open the door for future grant funding. Vice Chairman Rhodes stated concern that the average age of farmers in Ashe County is now 59. He believes we need to get youth involved in farming and we need to work to protect existing farmland. Vice Chairman Rhodes made a motion to approve the State Contract and the High Country Council of Governments Contract for the NC Department of Agriculture Farmland Preservation Trust Fund Grant. Commissioner Rose seconded the motion. The motion passed with unanimous approval.

Approved

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

[PRES](#)
[18-199](#)

11:10 AM - Joye Graybeal with ADAP & Michael Maybee with Watauga Opportunities Inc. - ADAP Merger Plan & Long Range Vision Plan

Attachments: [05-07-18 ADAP Merger Plan & Long Range Vision Plan](#)

Joye Graybeal, director of ADAP, and Michael Maybee with Watauga Opportunities presented information regarding the merger between ADAP and Watauga Opportunities. Mr. Maybee explained that current services will continue under the merger with plans to expand services in the future for individuals with developmental disabilities. VAYA Health made the decision to discontinue ADAP services and turn the program into a long term community support program which is partially funded by Medicaid. Mr. Maybee provided an explanation of the merger plan. Watauga Opportunities will be the operating agent for the services, however Ashe Opportunities will be a separate DBA under the program. Any revenues that come to Ashe Opportunities will stay in Ashe County. Mr. Maybee explained the different services that will be provided. The merger plan will be effective July 1, 2018.

[PRES](#)
[18-200](#)

11:20 AM - County Manager Sam Yearick - Request to Replace a Broken Water Heater at the Jail

Attachments: [05-07-18 Request to Replace a Broken Water Heater at the Jail](#)

County Manager Sam Yearick told the Board that there are two water heaters operating at the jail and one of the water heaters has quit working. A request is being made to replace the water heater with two smaller ones so that when a water heater goes out in the future that a smaller amount of capacity would be lost. The quote received is \$29,877 and a rough estimate to remove the old water heater and install the new one is \$5000. He is asking for \$40,000 from the Contingency Fund and anything that is not spent will go back into the Fund Balance. Vice Chairman Rhodes made a motion to appropriate \$40,000 from the Contingency Fund for the replacement of the broken water heater at the jail. Commissioner Rose seconded the motion. The motion passed with unanimous approval.

BUDGET AMENDMENT
May 7, 2018

General Fund:

To increase the department of Corrections budgeted expenditures from \$1,947,725 to \$1,987,725; this increase will be made with an appropriation of \$40,000 from the Contingency Fund.

[PRES](#)
[18-202](#)

11:30 AM - County Manager Sam Yearick - Discussion Regarding Plans for Family Central

Attachments: [05-07-18 Discussion of Plans for Family Central](#)

County Manager Sam Yearick provided a handout showing organizations located at the Family Central facility. He explained the space being considered for the future move of the Health Department Environmental Services to Family Central and the space that will be needed. He also provided information regarding the space that is being considered by Mount Jefferson Child Development Center. There has been demand for space since the

County took over the facility.

PRES
18-203

11:40 AM - Protect Our Fresh Air Committee - Comments Regarding
Proposed Glendale Springs Asphalt Plant

Attachments: [05-07-18 School Facility Needs Bond Referendum Resolution](#)

Pat Considine thanked the Board for the funding and time the County has invested in the lawsuit regarding the proposed Glendale Springs Asphalt Plant. He provided a map of tax parcels surrounding the asphalt plant and spoke of how the asphalt plant will negatively affect the tax values of property owners. He spoke of lost tourism dollars in Ashe County.

Michael Bell, a shop owner in Glendale Springs, spoke regarding potential pollution close to the New River if the asphalt plant is allowed. He thanked the Board for efforts over the past three years and asked the Board to continue in those efforts to protect the New River and Glendale Springs community.

Linda Slade with the New River Conservancy lives in Glendale Springs. She told the Board that the New River Conservancy has worked to protect the New River for 42 years. She stated concern for how an asphalt plant would affect the river. She thanked the Board asking them to continue their efforts.

No further comment was offered.

GENERAL SESSION

Appointments

APP 18-26

Appointment of Wilkes Community College Trustee - Josh Roten

Attachments: [05-07-18 WCC Trustee Appointment - Josh Roten](#)

Vice Chairman Rhodes made a motion to reappoint Josh Roten to the Wilkes Community College Board of Trustees. Commissioner Rose seconded the motion. The motion passed with unanimous approval.

Appointment(s) Approved

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

Other Items for Consideration

MISC 18-46

Scheduling of Budget Work Sessions

Attachments: [05-07-18 Scheduling of Budget Work Sessions](#)

Vice Chairman Rhodes made a motion to schedule the FY2018-19 budget work sessions to begin on June 4, 2018. Commissioner Rose seconded the motion. The motion passed with unanimous approval.

Approved

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

VII. Commissioner Comments**VIII. Announcements****IX. Executive Session****ES 18-23****Executive Session - G.S. 143-318.11 (a) (3) - Legal Issues (Appalachian Materials Lawsuit)**

Vice Chairman Rhodes made a motion for the Board of Commissioners to enter into Executive Session as provided for by G.S. 143-318.11 (a) (3) to discuss legal issues surrounding the Appalachian Materials lawsuit. Commissioner Rose seconded the motion. The motion passed with unanimous approval. Chairman Sands declared the Board into Executive Session at 11:37 a.m. and out of Executive Session at 12:13 p.m. with the following action being taken. Vice Chairman Rhodes made a motion to enter a notice of appeal of the Planning Board's decision and order requiring issuance of the Watershed Permit, asking for a stay of the Planning Board's order pending a hearing. Commissioner Rose seconded the motion. The motion passed with unanimous approval.

Approved

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

X. Adjournment

Vice Chairman Rhodes made a motion to adjourn the meeting at 12:14 p.m. Commissioner Rose seconded the motion. The motion passed with unanimous approval.

Approved

For: 5 - Commissioner Rose, 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