

Ashe County

*150 Government Circle
Jefferson, NC 28640*



Meeting Minutes - Final

Monday, February 18, 2019

9:00 AM

Commission Meeting Room

County Commission

Chairperson Todd McNeill

Vice Chair William Sands

Commissioner Larry Rhodes

Commissioner Paula Perry

Commissioner Larry Dix

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

Chairman McNeill called the meeting of the Ashe County Board of Commissioners to order at 9:00 a.m. at the Ashe County Courthouse.

Commissioner Rhodes arrived at approximately 10:30 a.m.

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

II. Pledge of Allegiance/Opening Prayer

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

III. Approval of Minutes

[MIN 19-13](#) February 4, 2019 Regular Session Minutes

Attachments: [02-18-19 February 4, 2019 Regular Session Minutes](#)

Vice Chairman Sands made a motion to approve the February 4, 2019 Regular Session Minutes as written. Commissioner Perry seconded the motion. The motion passed with unanimous approval.

Approved

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

Excused: 1 - Commissioner Rhodes

[MIN 19-14](#) February 4, 2019 Executive Session Minutes

Vice Chairman Sands made a motion to approve the February 4, 2019 Executive Session Minutes as written. Commissioner Perry seconded the motion. The motion passed with unanimous approval.

Approved

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

Excused: 1 - Commissioner Rhodes

IV. Adoption of Agenda

Commissioner Perry made a motion to adopt the agenda as presented. Commissioner Dix seconded the motion. The motion passed with unanimous approval.

Adopted

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

Excused: 1 - Commissioner Rhodes

V. Public Comment

Chairman McNeill opened the floor for comments from the public. No comment was offered.

VI. Presentations

[PRES 19-27](#) 9:05 AM - Partnership of Ashe Director Kim Barnes - Request to Declare March 2019 "Think Babies" Month

Attachments: [02-18-19 Think Babies Month](#)

Partnership of Ashe Director Kim Barnes presented information pertaining to the needs of infants and toddlers in Ashe County. The "Think Babies" event that was held in January brought to light these needs. Ms. Barnes explained the need for quality care and education for children and the effect that these have on a child's development. Currently there are 68 children on waiting lists at child care centers in the County. In an effort to bring attention to the needs of infants and toddlers and their families in Ashe County, Partnership of Ashe Director Kim Barnes made a request for the commissioners to declare March 2019 as "Think Babies" Month. Vice Chairman Sands made a motion to declare March 2019 as "Think Babies" Month. Commissioner Perry seconded the motion. The motion passed with unanimous approval.

Approved

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

Excused: 1 - Commissioner Rhodes

[PRES 19-28](#) 9:15 AM - Eric Morely, Carolina Timberworks - Fulfillment of 2007 Incentive Agreement

Attachments: [02-18-19 Carolina Timberworks Incentive Agreement Fulfillment](#)

Eric Morely, owner of Carolina Timberworks, began his PowerPoint presentation by providing a history of timber framing and a history of his company. Carolina Timberworks opened its doors in 2003 and in 2006 a building was purchased in Boone. His company purchased land in 2007 and received an economic development incentive from the County at that time. Unfortunately, the beginnings of an economic downturn hit in December 2007. They began moving forward for construction of their building in 2008 but then company sales fell by 54% due to the economic downturn. It took six years to pull out of the recession and to regain sales to the same amount as when their company opened in 2007. Fortunately, they are now outgrowing their building and unable to find a suitable existing building. Mr. Morely presented a projected timeline for construction and completion of a new building in Ashe County. He told the Board that the County has not seen a return on the incentive agreement they gave to Carolina Timberworks. A request was made for the County to support Carolina Timberworks to move forward on the project as set forth in the projected timeline presented to the Board. Vice Chairman Sands stated that there was no timeline to start the project included in the original contract. Commissioner Dix stated concern that the company received taxpayer's monies for the incentive agreement 12 years ago. He questioned if there had been communication with the County during those years. Mr. Morely answered that the only communication was with Economic Developer Cathy Barr several years ago when searching for property to build in Ashe County. Commissioner Dix also questioned if Carolina Timberworks' 11

employees live in Ashe County, and was answered that they do. Vice Chairman Sands stated that since the contract is open-ended and contains no deadline, in his opinion there is no reason not to move forward with the agreement. Chairman McNeill stated that the contract calls for 13 employees. He would like to see the company have 13 Ashe County employees and for there to be strict oversight of the project. Commissioner Dix stated that Mr. Morely would need to report back to the Board as the project proceeds. Commissioner Perry agreed stating that Mr. Morely will be expected to provide an update to the Board in June.

PRES 19-29 9:30 AM - School Superintendent Phyllis Yates - Resolution Supporting Local Control of School Calendars

Attachments: [02-18-19 Resolution Supporting Local Control of School Calendars](#)

School Board Chair C.B. Jones came before the Board with a request to pass a resolution supporting local control of school calendars. He told the Board that in 2004 the General Assembly took control of school calendars across the state which does not work well for mountain counties. He explained that in the second semester of the school year, Ashe County students are negatively affected on testing scores due to the schedule. Wilkes Community College is on a different schedule and high school students cannot take classes at the community college. Commissioner Dix made a motion to adopt the resolution supporting local control of school calendars. Commissioner Perry seconded the motion. The motion passed with unanimous approval.
Adopted

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

Excused: 1 - Commissioner Rhodes

PRES 19-30 9:40 AM - County Librarian Suzanne Moore & Regional Director Jane Blackburn - Consideration of Request for Funding Assistance with Staffing & Maintenance of a Bookmobile

Attachments: [02-18-19 Bookmobile Staff Funding Proposals](#)

Regional Library Director Jane Blackburn and County Librarian Suzanne Moore requested that the Board consider funding assistance with staffing and maintenance of a bookmobile in the County. The bookmobile would be paid for with grant monies. A PowerPoint presentation regarding the request was made at the last meeting and the Board tabled action to allow time to consider the request. Regional Director Blackburn provided three options with a breakdown of costs to the County outlined to fulfill the request. Chairman McNeill asked if the grant to purchase the bookmobile includes a time commitment for the length of the County's participation. Director Blackburn answered that there is not a stipulation included in the grant. Commissioner Dix stated concern for how this funding request falls into line with the other funding requests from the Library and the other needs that come before the commissioners. He asked if this is a one time grant opportunity. Ms. Blackburn answered that no, it is not. Chairman McNeill also asked for an update on the status of the previous request for funding assistance for additional parking spaces at the Library. County Librarian Suzanne Moore answered that the Town of West Jefferson has agreed to budget for one-third of the expense and she is scheduled to go before the town aldermen at an upcoming meeting to further discuss this project. Chairman McNeill stated that the commissioners have committed to funding raises for Library employees over the next few years and that this request needs to be handled during the upcoming budget. Ms. Moore stated that she will

submit the grant application and then come back before the Board during budget work sessions later this year.

PRES 19-31 9:50 AM - Steve Mochen & BBQ Coordinator James Killian - Kansas City BBQ Event

Steve Mochen, owner of Blue Ridge Theater and Event Center, and Kansas City BBQ Coordinator James Killian, spoke to the Board about the Kansas City BBQ event that will be held in Ashe County August 30 - 31, 2019 at the Blue Ridge Theater and Event Center. Mr. Killian provided information about the Kansas City BBQ which is the largest BBQ society in the United States. Plans are to hold the event annually in Ashe County.

PRES 19-32 10:05 AM - Tax Administrator Chris Lambert - Monthly Tax Report

Attachments: [02-18-19 Monthly Tax Report - January 2019](#)

Tax Administrator Chris Lambert presented the Monthly Tax Report for January 2019. Vice Chairman Sands made a motion to approve the report as presented. Commissioner Perry seconded the motion. The motion passed with unanimous approval.

Approved

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

Excused: 1 - Commissioner Rhodes

PRES 19-33 10:10 AM - Finance Officer Sandra Long - Resolution to Finance Environmental Services Track Loader & Garbage Truck

Attachments: [02-18-19 Resolution to Finance Environmental Svcs Equipment](#)

Finance Officer Sandra Long presented a resolution to finance a track loader and a garbage truck for the Environmental Services Department. She told the Board that requests for proposals were submitted to financial institutions to finance the cost of the equipment and that First Citizens Bank submitted the proposal with the lowest fixed interest rate. The purchase of the equipment was approved during the FY2018-19 budget. Vice Chairman Sands made a motion to approve the financing resolution as presented. Commissioner Perry seconded the motion. The motion passed with unanimous approval. Commissioner Perry made a motion to approve the budget amendment for the purchase of the equipment. Commissioner Dix seconded the motion. The motion passed with unanimous approval.

Approved

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

Excused: 1 - Commissioner Rhodes

PRES 19-34 10:15 AM - Animal Control Director Joe Testerman - Vehicle Usage and Shelter Schedule

Attachments: [02-18-19 Animal Control Request Regarding County Vehicles](#)

Animal Control Director Joe Testerman made a request for Animal Control Officers to each be allowed to drive their County vehicle home. He explained that there are two officers on-call each week that drives their County vehicle home after regular working

hours. The third person that is not on-call drives their personal vehicle. Dispatch coordinates after hours calls using guidelines set forth in standard operating procedures. In the past, the officer that was not on-call would use a float vehicle to drive home. Use of that vehicle was discontinued several years ago. The request being made is for all three officers to be allowed to drive County vehicles home at all times. Commissioner Dix stated that he would like to spend time with Director Testerman to better understand how the after hours calls are handled and work schedules. Vice Chairman Sands stated that there is a County vehicle that is not being used that could be used as a float vehicle at Animal Control. Chairman McNeill needs more time to talk with different departments regarding time spent working after hours. Commissioner Dix asked Mr. Testerman what the cost for this request would be to taxpayers. He also wants to see the Standard Operating Procedures manual used by Dispatch. Director Joe Testerman also told the Board that there are not a lot of visits to the Shelter on Saturdays but there is no need to make any changes to the schedule for hours that the Shelter is open.

PRES 19-35 10:25 AM - Priscilla Norris, CPA - County Audit 06/30/18 & Amended Audit Contract

Priscilla Norris, CPA, provided an overview of the June 30, 2018 County Audit. She reviewed the management letter included with the audit. Ms. Norris also explained the reason for the amended contract which needs to be approved by the Board. Commissioner Rhodes made a motion to approve the amended Audit Contract as presented. Commissioner Perry seconded the motion. The motion passed with unanimous approval.

Approved

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

PRES 19-36 10:35 AM - Interim County Manager Adam Stumb - Scheduling of March 4, 2019 Work Session Agenda

Attachments: [02-18-19 Work Session Agenda for March 4, 2019 Meeting](#)

Interim County Manager Adam Stumb told the Board that a mid-year budget review will be held at the March 4, 2019 meeting. After the review, a work session for the Board will be held and a copy of the proposed agenda was included in the packet information sent to the commissioners. He requested that the Board let him know of items they want added to the agenda.

PRES 19-38 10:45 AM - Sheriff Phil Howell - Request for Reclassification of Court Bailiff Position

Attachments: [02-18-19 Court Bailiff Position Reclassification Request](#)

Sheriff Phil Howell made a request for the reclassification of position #4310-506-16 Court Bailiff, Grade 63, to position #4310-0307-19 Detective, Grade 65. Funding for the position would be made with the difference in pay for position #4310-300-16 by changing the salary for the position from Grade 68 to Grade 66 due to the resignation of the former lieutenant. Commissioner Rhodes made a motion to approve the position reclassification as requested. Commissioner Dix seconded the motion. The motion passed with unanimous approval.

Sheriff Howell also told the Board that he plans to come before the Board at a later date with a request to retitle all positions in an effort to simplify the positions.

Approved

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

GENERAL SESSION**Appointments****APP 19-7** High Country Workforce Development Board Appointment

Attachments: [02-18-19 High Country Workforce Development Bd Appointment](#)

Commissioner Rhodes made a motion to appoint Kristen Neubauer to the High Country Workforce Development Board. Commissioner Dix seconded the motion. The motion passed with unanimous approval.

Appointment(s) Approved

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

APP 19-8 Library Board Reappointment

Attachments: [02-18-19 Library Board Reappointment](#)

Vice Chairman Sands made a motion to reappoint Laura Bowers to the Ashe County Library Board. Commissioner Rhodes seconded the motion. The motion passed with unanimous approval.

Appointment(s) Approved

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

Other Items for Consideration**MISC 19-8** Discussion Regarding Legislation to Change How the Sheriff's Position will be Filled when Vacated Mid-term

After a five-minute break, Vice Chairman Sands opened discussion regarding legislation to change the way the sheriff's position will be filled when the position is vacated mid-term. This topic was discussed with Representative Russell and Senator Ballard during the special meeting held with them last month. There are two methods used across the state to fill a sheriff's term. Ashe County adheres to General Statute 162-5 in which the appointment is made by the board of commissioners. Forty-seven counties in the state adhere to General Statute 162-5.1 where the outgoing sheriff's political party makes the recommendation to the Board for the appointment to the Sheriff's position. If the Board is in agreement to change how the vacated sheriff's position is appointed, Representative Russell will need a majority of the Board to agree. Sheriff Howell also shared his personal opinion on how this situation should be handled. Commissioner Dix told the Board that he has made a call to the Sheriff's Association and to the North Carolina Association of County Commissioners regarding this. He wants to make sure that Ashe County citizens are best represented by the decision made by the commissioners on this issue and the most stable way to fill the position is selected. County Attorney John Kilby advised the Board that if a vacancy occurs, the Board would need to adopt a resolution stating that the position would be filled by the chief deputy

until the next general election. The Board was in agreement with Commissioner Rhodes to table a decision allowing more time to gather information regarding the issue.

MISC 19-9

Discussion Regarding Changing Meeting Times

Commissioner Dix opened discussion regarding changing meeting times. He suggested holding the first meeting of the month in the morning and the second meeting of the month at 6 p.m. Chairman McNeill spoke with commissioners in other counties regarding their meeting schedule. One county handles procedural items presented by county employees at a morning meeting and the second meeting is set aside to hear issues from outside entities and held after 5 p.m. Commissioner Rhodes stated that he has been a commissioner for 20 years and has had meetings at all different times. He has found that public attendance is driven by what is on the agenda. If meetings are held after 5 p.m., county employees will need to be compensated for overtime. We now have meetings streamed from the website and there have been a lot of comments from citizens that watch the meetings online. If the Board decides to hold evening meetings, the public needs time to get home from work and eat so he suggested that the meeting should start at 7 p.m. Commissioner Rhodes recommended to leave the meeting schedule unchanged. Vice Chairman Sands stated that he has been a commissioner for eight years and has also observed that what is on the agenda is what brings people to attend the meeting. The meetings are online and on cable television. He is not in favor of evening meetings because of the added cost to citizens. Commissioner Dix then made a motion to draft a resolution to change the meeting schedule of the Board to the first meeting of the month which will be held at 9 a.m. and the second meeting of the month that will be held at 7 p.m. Chairman McNeill and Commissioner Perry both believe that it would be best to hold the second meeting beginning at 6 p.m. Chairman McNeill stated that the High Country Council of Governments monthly meeting is held on the same date as the second monthly meeting beginning at 6:00 p.m. Commissioner Dix agreed to amend the motion on the floor to state that the first meeting of the month will be held at 6 p.m. and the second meeting of the month will begin at 9 a.m. with this change taking effect at the first meeting in July 2019. Commissioner Perry made a second to the amended motion. The motion passed 3 - 2 with Commissioners Rhodes and Sands voting in opposition.

Approved

For: 3 - Commissioner McNeill, Commissioner Perry and Commissioner Dix

Against: 2 - Commissioner Sands and Commissioner Rhodes

VII. Commissioner Comments

VIII. Announcements

IX. Executive Session

ES 19-5

G.S. 143-318.11 (a) (3) Legal Issues

Commissioner Rhodes made a motion to enter into Executive Session as provided for by G.S. 143-318.11 (a) (3) to discuss legal issues pertaining to: 1) Appalachian Materials litigation, 2) Tommy Combs litigation, 3) Katie Richards, Michelle Sanchez, Casey Caudill, Melissa Smith et al., 4) Hendrix vs. Rose, 5) Hefley, and 6) WBTV vs. Ashe County. Vice Chairman Sands seconded the motion. The motion passed with unanimous approval. Chairman McNeill declared the Board into Executive Session at 11:30 a.m. and out of Executive Session at 11:55 a.m. with no action taken.

Approved

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

X. Adjournment

Commissioner Perry made a motion to adjourn the meeting at 11:56 a.m. Commissioner Dix seconded the motion. The motion passed with unanimous approval.

Approved

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

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.

Todd McNeill, Chairman

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