REC'D SEP 25 2008

STATE OF NORTH CAROLINA
COUNTY OF AVERY

The Avery County Board of Commissioners met in Regular Session on Monday, June 16, 2008 at 3:30 p.m. in the Commissioners Board Room, Avery County Administrative Complex, Newland, N.C.

Members Present: Kenny Poteat, Chairman; Phyllis Forbes; Scott Heath

Members Absent: Susan Pittman; Dan South

Fac/Perm/Co ID #	Date	Doc ID#
06-03	10/9/08	6094

Call To Order
Chairman Poteat called the meeting to order at 3:51 p.m.
Chairman Poteat offered prayer.

Public Hearing – C&D Landfill Expansion
Motion by Phyllis Forbes and second by Scott Heath to go out of Regular Session and enter into a time of Public Hearing on the C&D Landfill Expansion at 3:52 p.m. Motion unanimous by those in attendance (3-0).

Chairman Poteat introduced Buddy Norris, Avery County Solid Waste Director. Mr. Norris stated that the Public Hearing for the C&D Landfill Expansion was held to allow for public comment. Mr. Norris introduced Stacey Smith from Richardson, Smith, and Gardner Associates who is the engineer firm that will be doing the expansion project. Mr. Smith stated that according to landfill regulations in North Carolina, public hearings are held for public comments and concerns. Mr. Smith advised the resolution had some specific items that needed to be addressed in the public hearing which were service area; waste types and disposal rates; landfill volumes; and landfill service life. Mr. Smith stated that the landowners adjacent to the landfill site had been notified by means of registered mail and that the public hearing notice had been advertised for 30 days. Mr. Smith advised that this site had been a landfill for a number of years and originally permitted in 1996 and there has only been expansion into just a few areas. Mr. Smith stated that all of the landfill is heavily monitored by the County and the state of North Carolina. Chairman Poteat questioned if this expansion would be within the confines of what the County has owned for several years. Mr. Norris stated there was a total of 80 acres and that there was a 200 foot buffer setback off of the property line that ensures that the County does not encroach on any landowner. Phyllis Forbes questioned if the County will be doing a portion now and a portion in the future. Mr. Smith stated that the service life of the landfill would be approximately 50 years at 10,400 tons per year and currently the County does 3,000 tons per year.

Sheila Wise, Avery County resident and landowner, stated that she was upset about being in the middle of the landfill. Ms. Wise stated that she received a letter stating that the landfill would be expanded with the expansion of the landfill being above her property.

Roger Wise, Avery County resident and landowner, stated that he had dug a well on the other side of his property as far away from the landfill as possible. Mr. Wise advised that he had a spring and was afraid that the spring had been contaminated so he had a well dug and that he was afraid with the expansion of this landfill above his property that his well could also become contaminated. Mr. Norris stated that the County could sample the water to ensure that the water is not contaminated. An aerial map of the total acres of the landfill was used to demonstrate where Mr. Wise's property was located and where the expansion would be located. Mr. Smith stated that the dominant ground water flow was along a stream and that there were monitoring wells and there had been a study about the way the ground water flows and there would be monitoring wells that will set within the buffer area that is tested twice a year. Mr. Smith advised that the site has not had any problems in the past, however, if anything happened there would be a sample of the wells and then there would be proper action taken to resolve the problem. Chairman Poteat questioned if the Wise's well were to become contaminated what would be the responsibility of the County in this issue or what help could be given to the Wise's. Mr. Smith stated that the drinking water wells can be monitored. Chairman Poteat advised Mr. Norris that the Wise's well be checked for contaminants periodically at no cost to Mr. and Mrs. Wise. Chairman Poteat further stated that if the Wise's well could become contaminated that action will be taken by the Board. Mr. Wise said that he had already drilled a well because he was afraid of contamination of his spring. The County Manager stated that Mr. Wise had this new well drilled because of the anxiety about the existing water supply and although it was not established that the water was contaminated that he acted in what he believed was the best interest of his family and that perhaps the County should bear some responsibility and that Mr. Norris and Mr. Wise should come up with something equitable to assist the Wise's expenses incurred from the drilling of the well. Chairman Poteat stated that the County would help monetarily not with all of the cost but would certainly help. Phyllis Forbes asked Mr. Norris to monitor the Wise's well on a regular basis. Mr. Wise also stated that the landfill had devalued his property. Chairman Poteat stated that the Tax Assessor would be made aware of this.

Ms. Wise stated that she had wanted to leave her children the land but that her children did not want to live below a landfill. Ms. Wise said that she didn't feel it was right to go out and work and pay for something to pass on down to her children and now she would not be able to do that.

Chairman Poteat asked the County Manager to keep in contact with the Wise family concerning the well situation and how the County can help the Wise family monetarily.

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SOLID WASTE SECTION
ASHEVILLE REGIONAL OFFICE

Mr. Jack Forbes, property owner adjoining the Avery County landfill, asked the Board if the County was planning on buying any more property above him. The County Manager stated that there was no intention at the present to buy any more property at the landfill.

The County Manager stated that effective July 1, 2008 the State will mandate a $2.00 tipping fee per ton to all landfills in North Carolina. This fee will be passed on to the commercial customers, said the County Manager.

Scott Heath advised that possibly the County could stay away from the left corner of the property that is right above the Wise's property and use that portion as a buffer zone.

Martha Hicks questioned how steep the slope was on the property for expansion. Stacy Smith stated that there was a 3 to 1 slope which is comparable to what the sides of the road slopes are on the highways in the County.

Motion by Scott Heath and second by Phyllis Forbes to close the Public Hearing for the C&D Landfill Expansion and resume Regular Session at 4:25 p.m. Motion unanimous with those in attendance (3-0).

Motion by Phyllis Forbes and second by Scott Heath to approve the landfill expansion resolution contingent on taking out of draft form and allow the Chairman to sign. Motion unanimous with those in attendance (3-0).

Proclamation for YMCA Day in Avery County

Chairman Poteat stated that the YMCA had requested that Saturday, June 21, 2008 be designated as "YMCA Day" in Avery County. The YMCA will be having their grand opening on Saturday, June 21, 2008.

Motion by Phyllis Forbes and second by Scott Heath to approve the Proclamation for Saturday, June 21, 2008 as "YMCA Day" in Avery County. Motion unanimous with those in attendance (3-0).

Public Comments

There were no public comments.

Approval of Minutes

Motion by Scott Heath and second by Phyllis Forbes to approve the May 8, 2008 Budget Workshop; May 15, 2008 Budget Workshop; May 19, 2008 Regular Meeting; and May 27, 2008 Budget Workshop. Motion unanimous with those in attendance (3-0).

Public Hearing 2008-2009 Budget

Motion by Phyllis Forbes and second by Scott Heath to go out of Regular Session and go into a time of Public Hearing concerning the 2008-2009 Budget at 4:30 p.m. Motion unanimous with those in attendance (3-0).

The County Manager stated that the Finance Officer, Tim Greene, and the County Manager have prepared the budget message for the Fiscal Year 2008-2009 Budget. The County Manager and Finance Officer presented the budget message along with a power point presentation. The County Manager stated that North Carolina General Statute 159-11 stipulates that a public hearing be held in order to inform the public and allow any interested citizens the opportunity to express their opinions on the budget after the budget message is presented. The budget message represents an explanation of the budgetary decisions derived as a result of in depth dialogue between the County Manager, Finance Officer and each Department Head. The cumulative total of necessary operational and capital expenses considered in light of revenues generated by the departments, combined with State and Federal funding, determines the amount of funding which will be necessary from the citizens of Avery County. When the 2008/2009 requests were totaled and compared with projected revenues, the deficit was in excess of $2.5 million dollars. In order to balance the budget, the County made many difficult cuts and was unable to fund any new programs. In addition, all special allocations to non-profit organizations were held to 3% increases.

The 2008/2009 budget is balanced based on a total appraised value of $4.10 billion. This represents an increase of $124 million or 3.1% over last years' valuation of $3.98 billion. The general tax rate is established at 35.2 cents per $100 valuation. This reflects no change in the general tax rate from the previous year. The county wide fire tax rate of 3.8 cents remains the same as the previous years' fire tax rate. This rate of 3.8 cents is estimated to produce an additional $45 thousand dollars for a total of $1.52 million. The combination of these two rates results in an overall tax rate of 39 cents for the fiscal year 2008/2009. This rate reflects no tax increase and currently there are only 8 counties in North Carolina with a tax rate lower than Avery County.

The County Manager stated that there were several note-worthy additions in the upcoming 2008/2009 budgets which include operation of the EMS substation in Green Valley, addition of a part-time EDC assistant, construction of the new Banner Elk School, expansion and renovation of the existing Avery County Jail, partnering with the Town of Newland for construction of a water tank, expansion of the C&D Landfill, and purchase of 3.78 acres for recreational purposes.

The County Manager advised that over the last several years Avery County has developed and adhered to a strict financial plan designed to promote a "pay-as-you-go" capital philosophy and as a result of this policy the County has been able to fund numerous projects and will be able to fund future projects without incurring noticeable long term debt. The County Manager stated that it was the recommendation of the Manager's office that the 2008/2009 FY Budget Ordinance be adopted as presented.

Phillip Shomaker, Avery County Board of Education Board Member, spoke to the Board about the shortfall of approximately ½ million dollars in the Avery County School Budget. The Federal government and State government have reduced the funds from the Federal and State level to the Special Education Program. The reduction in funds from the Federal and State level coupled with the increase in fuel costs and heating costs adds up to approximately ½ million dollar shortfall, said Mr. Shomaker. Mr. Shomaker advised that this will reduce the time spent with students specifically the special needs students and causes a loss of 19 positions. Mr. Shomaker stated the Board of Education cannot levy taxes and there is no time at this point to get a grant to fund these positions. Mr. Shomaker said that the jail is being budgeted as much as the Board of Education. Many of the counties in North Carolina have given funds to be able to help fund teaching positions, said Mr. Shomaker. Mr. Shomaker stated that this is the Board's opportunity to step up and help the students in Avery County. Chairman Poteat stated that as a matter of record that this particular Board of Commissioners has been friends of education.

Grace Calhoun, Superintendent of Avery County Schools, thanked the Board for the generosity that the Board has bestowed on Avery County Schools for the past 9 ½ years that Ms. Calhoun has been Superintendent. Ms. Calhoun stated that this was one of the most critical years that Avery County Schools have faced because of the rising fuel and heating costs. Ms. Calhoun advised that if there was not an increase in the school's budget that the new superintendent, Mr. Keith Eades and the Finance Officer would be back this winter asking for money for heating fuel. Ms. Calhoun reported that the State provides 75% of fuel for transportation and not any funds for heating fuel for the buildings and the schools must pick up 25% of the fuel costs for transportation. Ms. Calhoun stated that the Board of Education is here to implore the Board to take a look at the additional increase in costs of fuel, supplies, textbooks, etc. and give the Board of Education an increase to help balance their budget. Ms. Calhoun thanked the Board again for going above and beyond the call of duty to provide the physical facilities for the students in Avery County.

Jeff Jaynes, Finance Officer for Avery County Schools, stated that a 3% cost of living increase would take care of salaries and benefits but the schools are required to pay at the State level even though there are some salaries that are not funded by the State but funded locally. Mr. Jaynes advised that the fuel costs are the major concern in the budget for 2008/2009. Mr. Jaynes stated that the schools will need 160,000 gallons of fuel for heating which would equate to approximately ½ million dollars. Mr. Jaynes advised if the schools did not get some additional funding beyond the 3% increase that would necessitate cuts in the schools budget. Mr. Jaynes reported that there had been a reduction in 27 positions due to the funding. Mr. Jaynes stated that last year at this time the tanks for heating fuel were full but this year the tanks are empty and all the money budgeted for the fuel was spent. Mr. Jaynes stated that the schools consume oil during the summer because of the hot water boilers. Mr. Jaynes advised that every penny increase in the fuel is equivalent to $12,000 for the schools.

Daryl Smith, representative for Avery Little League, came before the Board requesting extra money for Avery Little League. Mr. Smith stated that Avery Little League had requested $10,000 in the budget but was only allocated $2,060.00. Mr. Smith advised that he and five other members had signed a note to put the lights on the fields for Little League of $65,000. Mr. Smith stated that there was 300 children playing Little League and 175 playing soccer on these fields. Mr. Smith said that Avery Little League spent $142,000 last year. Mr. Smith requested that the Board help with trying to get the allocation back up to $10,000. Chairman Poteat stated that the decrease was due to a one year expenditure for lighting and in the years before Avery Little League was receiving $2,000 per year.

Chairman Poteat stated that education was the number one priority in Avery County. Chairman Poteat advised that as it is before the Board today that the Board has designated $4,500,000 for current and capital for Avery County Schools. Chairman Poteat said that beyond that the County has a debt service for the Board of Education for the buildings of $1,700,552 bringing a total that is coming out of the County coffers this year of $6,200,552 which equates to 25.66%. Chairman Poteat added that looking back at 2007/2008 budget the operational for the schools was $3,707,000; this years operational is $3,896,000 or a 5.1% increase over last years operational budget. Chairman Poteat stated that the Board of Education is budgeted for $604,000 in capital but $500,000 is useable with the other $104,000 going for the Avery High School Track. Chairman Poteat advised that the last 5 years capital average for the Board of Education was $420,700. Chairman Poteat stated that the Board has heard the needs of the Board of Education but in his personal opinion the Board has made improvements in the budget over previous years. Chairman Poteat advised that a couple of neighboring counties are freezing the funds at the same rate as last year. Chairman Poteat stated that it is not a bounty year for any counties.

Scott Heath stated that there has been a lot of talking about heating costs and fuel and the budget is the Board's best guess of how things will be but if fuel goes to possibly $6.00 a gallon there is no way that the Board has budgeted for that. Mr. Heath said that in the event that this situation would happen then the Board would be looking at possibly Special Appropriations. Mr. Heath stated that usually his thoughts were with Special Appropriations that there would not be any but in the event of the Board of Education dealing with fuel costs that the Board would have to "cross that bridge" later. Phyllis Forbes said that she is an advocate for education and that the Board could not anticipate the increases and if there is a situation where emergency funds for the Board of Education were needed the Board of Education should come back before the Board of Commissioners to request these.

Chairman Poteat questioned if the Avery High Track was under $104,000 could the Board forward the difference to the Board of Education. The Finance Officer stated that would be at the discretion of the Board.

Martha Hicks stated that there are a lot of things that are being told about the budget that is not being carried out and that it needed to be straightened out because that is what gets citizens upset. Ms. Hicks said that some people think the Board is going to give money for trips to Washington and for the Outer Banks. Ms. Hicks stated that we needed to let the citizens of Avery County know that the Board is not funding things like this. Ms. Hicks advised that the citizens need to know to help keep rumors down. Ms. Forbes stated that the Board does not know where the rumors come and sometimes does not even hear about certain things. Chairman Poteat advised that he has encouraged people to speak publicly and the Board does not tell the Board of Education how to spend the money that the County appropriates for the Board of Education. Grace Calhoun stated that the Board asked the Board of Education to put a separate line item in for the trips but this line item was not discussed at the budget workshop.

Motion by Scott Heath and second by Phyllis Forbes to close the Public Hearing for the 2008/2009 Budget and resume Regular Session at 5:26 p.m. Motion unanimous with those in attendance (3-0).

Chairman Poteat stated that the Board was in Regular session after a time of public hearing and thanked all the ones that spoke regarding the budget.

Chairman Poteat stated that if the budget was adopted it does not include any tax increase and would remain fire tax of 3.8 cents and the real property tax at 35.2 cents for a total combined rate of 39 cents. Chairman Poteat advised that he felt the Board should adopt the budget as presented today fully knowing that there is some well justified and merited budget amendments somewhere in the future and the Board would need to "cross that bridge" if and when the need be.

Motion by Scott Heath and second by Phyllis Forbes to adopt the tentative budget as the budget for 2008/2009 and at the tax rate of 35.2 cents for Ad Valorem Tax and 3.8 cents for Fire Tax. Motion unanimous with those in attendance (3-0).

Scott Heath stated he wanted to respond to Ms. Hicks' comments in Public Hearing on misinformation or rumors and why people are mad. Mr. Heath said that the common question for him recently was "why was the County redoing the football field and laying off teachers". Mr. Heath stated that redoing the football field had nothing to do with funding teachers' salaries that the salaries are funded at the State level. Mr. Heath advised there is a shortfall from the State and Federal levels that fund those positions but that the Board's responsibilities were the salaries that the County funded, the facilities and maintenance of the facilities and the Board has increased above and beyond by 5% to the schools.

Phyllis Forbes thanked Robert Wiseman and Tim Greene for all the hard work they did on the budget.

Farmland Preservation Ordinance

Michaelle Poore, County Attorney, stated that the Ordinance required a second vote because there was not a full Board at the last meeting. The County Attorney advised that this vote would be repealing the old Ordinance and enacting the new Ordinance. Chairman Poteat read aloud the Farmland Preservation Ordinance resolution. Scott Heath reiterated that it is important for the County to keep its economy diversified and that Agriculture needed the Board's protection and support as well.

Motion by Phyllis Forbes and second by Scott Heath to adopt the Resolution for the Farmland Preservation Ordinance and authorize the Chairman to sign. Motion unanimous with those in attendance (3-0).

Finance Officer Report –Tim Greene

Tim Greene, Finance Officer, stated that most of these budget amendments are "housekeeping" budget amendments.

Budget Amendment # A08-28

The 2007/2008 General Fund Budget included a $320,000 transfer to the Capital Reserve Fund. The Capital Reserve Fund did not include the recognition of the transfer from the General Fund. Request the Board adopt a budget amendment to transfer from General Fund $320,000 to Fund Balance.

Motion by Phyllis Forbes and second by Scott Heath to transfer from the General Fund $320,000 to the Capital Reserve Fund. Motion unanimous with those in attendance (3-0).

Budget Amendment #A08-29

The Finance Officer stated that the bathroom code violations at Avery High School were being funded from the Capital Reserve Fund; that project is completed. This is a budget amendment transferring the monies from Capital Reserve to the General Fund; total amount of $97,527.00.

Motion by Phyllis Forbes and second by Scott Heath to approve the budget amendment transferring $97,527.00 from the Capital Reserve Fund to the General Fund for the bathroom code violations at Avery High School. Motion unanimously approved with those in attendance (3-0).

Budget Amendment #A08-30

The Health Department Project Fund can be closed with $1,603.90 remaining and that will be transferred to the General Fund.

Motion by Phyllis Forbes and second by Scott Heath to approve the budget amendment transferring $1,603.90 to the General Fund from the Health Department Project Fund. Motion unanimously approved with those in attendance (3-0).

Budget Amendment #A08-31
The High School Renovation Project Fund can be closed with the remaining monies transferred to the General Fund. This will reimburse the General Fund for subsidizing the School Renovation Project Fund while the QZAB funding was delayed.

Motion by Scott Heath and second by Phyllis Forbes to approve the budget amendment transferring $717,364.60 to reimburse the General Fund for subsidizing the School Renovation Project Fund while the QZAB funding was delayed. Motion unanimously approved by those in attendance (3-0).

Budget Amendment #A08-32
Due to increased revenues on excise stamps, the Register of Deeds requires an increase in the excise tax line item. The budget amendment to be approved is $30,000.

Motion by Phyllis Forbes and second by Scott Heath to approve the budget amendment to increase the excise tax line item for the Register of Deeds to $30,000. Motion unanimously approved by those in attendance (3-0).

Budget Amendment #A08-33
The Agriculture Department received a $1500 grant from the Monsanto Company to be used for weed suppression work.

Motion by Scott Heath and second by Phyllis Forbes to approve the $1500 grant to the Agriculture Department from the Monsanto Company for weed suppression work. Motion unanimously approved by those in attendance (3-0).

Budget Amendment #A08-34
Avery County will collect fire taxes in excess of budgeted figures. A $20,000 budget amendment is required in order to pass through the additional tax collections. This budget amendment is done every year.

Motion by Phyllis Forbes and second by Scott Heath to approve the budget amendment #A08-34. Motion unanimously approved by those in attendance (3-0).

Agenda Consent Items
Agenda Consent Items adopted by Consensus of the Board.

Upcoming Meetings
The next Regular Meeting is July 7, 2008 at 3:30 p.m.

Recess Regular Meeting at 5:46 p.m. to go into the Special Meeting with the Fire Association.

Recess for 3 minutes.

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The Avery County Board of Commissioners met in a Special Meeting with the Avery County Fire Association in the Commissioners Board Room, Avery County Administrative Complex, Newland, NC at 5:49 p.m.

Members present: Kenny Poteat, Chairman; Phyllis Forbes; Scott Heath

Members absent: Susan Pittman; Dan South

Fire Association Members Present: Junior Sluder, President of the Fire Association; Paul Buchanan, Vice-President of the Fire Association; Kenny McFee, officer of the Fire Association.

Call To Order
Chairman Poteat called the meeting to order at 5:49 p.m. Chairman Poteat thanked the Fire Association for being at this meeting. Chairman Poteat stated that the Board appreciated the work that the volunteer firemen were doing, their sacrifice, and the personal expense that they incur to help the people of Avery County.

Junior Sluder stated that the Fire Association had some concerns to bring before the Board and wanted the Board to give some direction to the Fire Commission. Mr. Sluder said that the Fire Commission was one of the best things to happen if the Fire Commission is run correctly and if they took into consideration the regulations that the fire departments must abide by.

Kenny McFee stated that a lot of people worked really hard to get the second person in the Fire Marshall's Office because David Charles Vance's time was spent mostly with inspections. Mr. McFee advised that Butch Sholar was supposed to be an assistant for David Charles Vance and to help assist the fire departments but the Fire Commission took it upon themselves to put Mr. Sholar over the paid personnel. Mr. McFee stated that the

Fire Association would like to know if the Fire Association has problems can the Fire Association turn to Mr. Sholar. Mr. McFee questioned if there would be anyway to know about the fire departments budgets before the middle of June. The budget must be submitted to the Fire Commission by February 15th, stated Mr. McFee. Chairman Poteat stated that was basically out of the Fire Commission's hands because the budget was not formal until it was adopted by the Board.

Discussion regarding grants. Scott Heath stated that the Sheriff was asked to budget and anticipate the County's part of a grant and that would be what the fire departments would need to do also.

Junior Sluder advised that the volunteer firemen are a special group of people because of the help that they provide for the people of Avery County. Mr. Sluder stated that the Fire Association was formed April 30, 1975 and that for 30 years the Fire Association worked beautifully. Mr. Sluder said that the Fire Commission had been asked by the Fire Association to let the people of Avery County know how much the fire departments save the residents on their homeowner's insurance. Mr. Sluder advised that another concern the Fire Association has is when the contracts are signed with the Fire Commission the Fire Association feels like the Fire Commission owns the fire departments. The contracts are signed for the service and the fire departments own their own equipment. Mr. Sluder questioned why the paid personnel at the fire departments needed to attend the Fire Commission meetings when the Fire Department Coordinator should be attending and relaying the information to the paid employees. Mr. Sluder advised that the paid employees at the fire departments were only getting one hour of compensation time when the meeting would last longer than an hour. Mr. Sluder stated another concern is that the paid employees at the fire departments are working odd shifts and the thought is the paid employee would be better utilized to work the daytime shift when other volunteer firemen are working on their regular jobs. Mr. Sluder advised that the Fire Association would like to know what the job duties of the Fire Coordinator consists of. Mr. Sluder stated that the fire departments should never go on alpha and omega calls that EMS was being paid for that. The County Manager advised that Green Valley Fire Department and Newland Fire Department are the only departments that do not want to be paged out for alpha and omega calls and that according to E911 in 12 months Newland responded to 7 alpha/omega calls and Green Valley responded to 5 alpha/omega calls. Discussion regarding alpha/omega calls. Mr. Sluder stated that there needed to be a paid fireman in each community and there needed to be money to place these paid employees in each department. The County Manager stated that Mr. Sluder and the County Manager would set up a meeting about all these issues also.

Mr. Sluder stated also that the subdivision ordinance and the alarm ordinance are very important to the Fire Association. Mr. Sluder advised that the subdivision ordinance needed to be revised and that the grade, roads and turnarounds are major concerns for the fire departments. Mr. Sluder stated that the fire departments should be contacted so the fire departments could go out and look at the subdivision before it is given a permit.

Phyllis Forbes thanked the Fire Association for being dedicated and concerned enough to bring issues to the Board. Scott Heath stated his impression was that communication is the key and a lot of the issues can be worked out.

Adjourn
Motion by Scott Heath and second by Phyllis Forbes to adjourn the Special Meeting with the Fire Association at 7:02 p.m. Motion unanimously approved with those in attendance (3-0).

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Reconvened Regular Meeting after adjournment of Special Meeting at 7:05 p.m.

County Attorney Report
The County Attorney stated that a Closed Session was required at this time in regard to the proposed Wright Property purchase.

Closed Session
Motion by Phyllis Forbes and second by Scott Heath to go into Closed Session at 7:05 p.m. concerning Acquisition of Property General Statute 143-318.11 (a)(5). Motion unanimously approved by those in attendance (3-0).

Chairman Poteat advised that the invitees would be the County Attorney, Clerk, County Manager, Finance Officer and the three Board members.

Chairman Poteat stated that the Board was back in Regular Session after a time of Closed Session at 7:22 p.m. During Closed Session, no vote was taken.

Resolution – Property located in the Town of Newland
Chairman Poteat read aloud the Resolution to acquire a piece of property located in the Town of Newland consisting of approximately 3.06 acres and known as the Wright Property.

Motion by Scott Heath and second by Phyllis Forbes to adopt a Resolution giving the County Manager the authority to execute an offer to purchase and also to authorize the County Manager to execute the closing statement and other documents necessary to effectuate closing on the Wright Property. Motion unanimously approved with those in attendance (3-0).

The County Attorney stated there was a second document that would require the attention of the Board. The State is providing half of the funds for the grant and the State is requiring the County to execute a Recreation Trust Fund agreement that is required to be signed by the Chairman of the Board. The Board should pass a Resolution to approve the Recreation Trust Fund Project agreement and allow the Chairman to sign the same after the Attorney has had a chance to review it and speak with Robbie Willis concerning the contents of the agreement.

Motion by Phyllis Forbes and second by Scott Heath to execute a Recreation Trust Fund Agreement after the County Attorney has had a chance to review it and speak with Robbie Willis concerning the contents of the agreement and allow the Chairman of the Board to sign said document. Motion unanimously approved with those in attendance (3-0).

The County Manager stated that the Employment Security Commission Office will be closing down in July. The State is closing down many of the branch offices.

Adjourn
Motion by Scott Heath and second by Phyllis Forbes to adjourn the meeting at 7:26 p.m. Motion unanimously approved by those in attendance (3-0).

Kenny R Roteat

Kenny Roteat, Chairman
Avery County Board of Commissioners

ATTEST: Cindy Turbyfill
Cindy Turbyfill, Clerk