

MITCHELL COUNTY BOARD OF COMMISSIONERS

MINUTES

REGULAR SESSION

NOVEMBER 6, 2006

NORTH CAROLINA

MITCHELL COUNTY

The Mitchell County Board of Commissioners met in regular session on November 6, 2006 at 6:00 p.m. in the Courtroom, Mitchell County Courthouse, Bakersville, NC. Those present for the meeting were Ken Hollifield, Vice-Chairman; Phil Byrd, Member; Mike Hensley, Member; Jim Saylor, Member; Ryan Whitson, County Manager and Kathy Young, Clerk to the Board. Also present were Lloyd Hise, County Attorney; Mavis Parsley, Finance Officer; Donny Wisor, Reporter with the Mitchell News-Journal; Steve Murphy, Reporter with WKYK/WTOE Radio Station. Chairman Masters was absent from the meeting.

1. **CALL TO ORDER** – Vice-Chairman Hollifield called the meeting to order at 6:00 p.m.
2. **INVOCATION** – Commissioner Saylor gave the invocation.
3. **ADDITIONS OR CHANGES TO THE AGENDA** – Commissioner Hensley moved to add the FY 2007-2008 Community Transportation Program Application, Community Transportation Program Resolution, Releases/Refunds, Senior Citizen FY 2006-2007 Application, Contract between High Council of Governments Area Agency on Aging and the appointment to the Mitchell County Long term Care Community Advisory Committee. Commissioner Saylor seconded the motion and it carried unanimously.
4. **APPROVAL OF MINUTES** – Commissioner Saylor moved to approve the minutes for May 30, 2006, June 5, 2006, June 20, 2006, June 28, 2006, July 10, 2006, August 7, 2006, August 21, 2006, September 11, 2006 and October 9, 2006. Commissioner Hensley seconded the motion and it carried unanimously.
5. **PUBLIC HEARINGS/MEETINGS**
 - A. **Mitchell County Community Transportation Program FY 2008 Application** - Barbara Buchanan, Director of Mitchell County Transportation stated the purpose of the Public Hearing was to receive public comments the Mitchell County Community Transportation Program FY 2008 Application.

Vice-Chairman Hollifield called the Public Hearing to order at 6:05 p.m.

No public comments were received.

Vice-Chairman Hollifield closed the Public Hearing at 6:08 p.m.

6. APPOINTMENTS

- A. Workforce Development Board** – By consensus the Board agreed to postpone this appointment until the December meeting.
- B. Library Boards – Regional & Mitchell County** – Commissioner Saylor moved to appoint Paula Bonamino to the Mitchell County Library Board and Phil Byrd to the AMY Regional Board. Commissioner Hensley seconded the motion and it carried unanimously.
- C. Mitchell County Long Term Care Community Advisory Committee** – Commissioner Hensley moved to appoint Hazel Yelton to the Mitchell County Long Term Care Community Advisory Committee. Commissioner Saylor seconded the motion and it carried unanimously.

7. RESOLUTIONS/PROCLAMATIONS/ORDINANCES

- A. NIMS Resolution** – Commissioner Saylor moved to adopt the NIMS Resolution (a copy is hereby attached and becomes a part of the minutes). Commissioner Byrd seconded the motion and it carried unanimously.
- B. Carpenter Island Road Resolution** – Commissioner Hensley moved to adopt the Carpenter Island Road Resolution (a copy is hereby attached and becomes a part of the minutes). Commissioner Saylor seconded the motion and it carried unanimously.
- C. Sheriff's Department Contacted Services to Full-time Position** – Commissioner Hensley moved to hire Danny Biddix to the full-time position of Transport Officer at a salary grade 60 and to approve a part-time position to cover the Sheriff's Office from 4:30 p.m. until 7:30 p.m. for no more than 15 hours per week. Commissioner Byrd seconded the motion and it carried unanimously.
- D. Budget Amendment #1 for FY 2006-2007** – Commissioner Byrd moved to adopt Budget Amendment #1 for FY 2006-2007 (a copy is hereby attached and becomes a part of the minutes). Commissioner Hensley seconded the motion and it carried unanimously.
- E. Community Transportation Resolution** – Commissioner Saylor moved to adopt the Community Transportation Resolution (a copy is hereby attached and becomes a part of the minutes). Commissioner Hensley seconded the motion and it carried unanimously.

8. ITEMS FOR DISCUSSION

- A. Toe River Health District Update** – County Manager Whitson suggested the Board withhold Toe River Health District second quarter appropriations.

By consensus the Board agreed to withhold Toe River Health Districts second quarter appropriation.

- B. FY 2007-2008 Community Transportation Program Application** – Commissioner Byrd moved to the FY 2007-20068 Community Transportation Program Application (a copy is hereby attached and becomes a part of the minutes). Commissioner Hensley seconded the motion and it carried unanimously.
- C. Senior Citizen FY 2006-2007 Application** – Commissioner Saylor moved to approve the Senior Citizen FY 2006-2007 Application. Commissioner Hensley seconded the motion and it carried.
- D. Contract between High Council of Governments Area Agency on Aging** – Commissioner Hensley moved to approve the Contract between High Council of Governments Area Agency on Aging and Mitchell County Senior Citizen Center. Commissioner Byrd seconded the motion and it carried unanimously
- E. Agreement between NC Department of Transportation and Mitchell County Transportation Authority** – Commissioner Byrd moved to approve the Agreement between NC Department of Transportation and Mitchell County Transportation Authority (a copy is hereby attached and becomes a part of the minutes). Commissioner Hensley seconded the motion and it carried unanimously.

9. PUBLIC/HEARINGS/MEETINGS

A. Sub-Division Ordinance – County Attorney Hise reviewed some changes that needed to be made on the proposed sub-division ordinance.

The Board was presented with a petition against further land use controls through regulations, buffers, ordinances and zoning (a copy is hereby attached and becomes a part of the minutes).

Mignon Durham spoke in favor of the sub-division ordinance.

Bill Wygand spoke in favor of the sub-division ordinance.

James Carroll spoke in favor of the sub-division ordinance.

Bill Carson spoke in favor of the sub-division ordinance.

Scott Kline spoke in favor of the sub-division ordinance.

Ed Silvers spoke in favor of the sub-division ordinance.

Kit Trubee spoke in favor of the sub-division ordinance.

Peter Franklin spoke in opposition of the sub-division ordinance.

Alan Orovitz spoke in favor of the sub-division ordinance.

Phillip Franklin spoke in opposition of the sub-division ordinance.

Jack Lord spoke in favor of a sub-division ordinance, but not this one.

Paige Davis spoke in favor of the sub-division ordinance.

Carl Braswell spoke in favor of the sub-division ordinance.

David Woody spoke in favor of the sub-division ordinance.

Roger Wilson ask for a stand up vote on the sub-division ordinance to allow the Board to see where the people stand.

Further discussion was held.

John Perry spoke in favor of control on some parameters.

Blaine Biddix agreed that something needed to be done on this.

Robert Hobson felt something needed to be done to keep the new Board from dropping it.

Commissioner Hensley supports the sub-division ordinance

Commissioner Byrd has a lot of questions that needs to be answered before he can support this ordinance.

Commissioner Saylor felt that overall the sub-division ordinance was excellent.

Vice-Chairman Hollifield informed the Board there would be no action taken on the sub-division ordinance.

Commissioner Hensley moved the Sub-Division Ordinance be placed on the agenda for the next meeting. Commissioner Saylor seconded the motion and it carried unanimously.

10. ITEMS FOR DISCUSSION

- A. Revaluation Certificate of Deposit** – Finance Officer Parsley informed the Board the Revaluation Certificate of Deposit matured on 10-25-06 for a value of \$312,095.29. The certificate was originally for \$304,456.54 for a 6-month term at United Community Bank. Finance Officer Parsley renewed the entire certificate for another 6-month term at United Community Bank with a 5.25% rate/5.35 yield.
- B. Mental Health Update** – County Manager Whitson informed the Board that New Vistas had closed as of 10-31-06. The LME had designated Alpha Omega as the safety net for mental health.

11. PUBLIC HEARING/MEETINGS

- A. Work First Plan for FY 2007-2009** – No public comments were received.

Commissioner Hensley moved to approve the Work First Plan for FY 2007-2009 (a copy is hereby attached and becomes a part of the minutes). Commissioner Byrd seconded the motion and it carried unanimously.

12. RELEASES/REFUNDS

- A. Releases/Refunds for Board Approval** – Commissioner Saylor moved to approve the Releases/Refunds for Board Approval (a copy is hereby attached and becomes a part of the minutes). Commissioner Hensley seconded the motion and it carried unanimously.
- B. Releases/Refunds for County Manager Approval** - None

13. CITIZEN & AUDIENCE COMMENTS

- A. Matters on the Printed Agenda**
B. Matters not on the Printed Agenda

- 14. CLOSED SESSION** – Commissioner Hensley moved to go into closed session in accordance with N.C.G.S. 143-318.11(a)(b) to consider the qualifications, competence, performance, character, fitness, conditions or appointment or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge or grievance by or against an individual public officer or employee. Commissioner Byrd seconded the motion and it carried unanimously.

Closed Session was held from 8:19 p.m. until 8:25 p.m.

No action was taken from the Closed Session.

15. BOARD COMMENTS - None

- 16. ADJOURNMENT** – Commissioner Hensley moved to adjourn the meeting. Commissioner Saylor seconded the motion and it carried unanimously.

The meeting adjourned at 8:26 p.m.

MITCHELL COUNTY BOARD OF COMMISSIONERS

Phil Byrd, Chairman

Lisa Sparks, Vice-Chairman

Mike Hensley, Member

Patrick Phillips, Member

Jim Saylor, Member

ATTEST:

Kathy Young, Clerk to the Board