

MITCHELL COUNTY BOARD OF COMMISSIONERS

MINUTES

SPECIAL SESSION

APRIL 11, 2013

NORTH CAROLINA

MITCHELL COUNTY

The Mitchell County Board of Commissioners met in Special Session on April 11, 2013, at 1:00 p.m. in the Commissioner's Conference Room, Administration Building, Bakersville, NC. Those present for the meeting were: Bill Slagle, Chairman; Joe Street, Member; Ken Hollifield, Member; Keith Holtsclaw, Member; Charles Vines, County Manager and Kathy Young, Clerk to the Board. Commissioner Rickey McKinney was absent from the meeting. Also present were: Officer; Hal Harrison, County Attorney and Corey Hoilman Reporter with the Mitchell-News Journal.

1. **CALL TO ORDER** – Chairman Slagle called the meeting to order at 1:00 p.m.
2. **INVOCATION** – Commissioner Hollifield gave the invocation.
3. **PLEDGE OF ALLEGIANCE** – Bob Hensley led the Pledge of Allegiance.

4. **ETHICS AWARENESS AND CONFLICT OF INTEREST REMINDER:**

In accordance with the State Government Ethics Act, it is the duty of every Board member to avoid both conflicts of interest and appearance of conflict. Does any board member have any known conflicts of interest or appearances of conflict with respect to any matters coming before the Board? If so, please identify the conflict or appearance of conflict and refrain from any undue participation in the particular matter involved.

5. **PUBLIC HEARINGS**

- A. **NC DOT Secondary Roads Improvement Program** – Chairman Slagle called the Public Hearing to order at 1:05 p.m. He stated the public hearing was being held in compliance with General Statute 136-44.8 and in accordance with directives established by the North Carolina Board of Transportation.

Mr. David Brown reviewed the North Carolina Department of Transportation 2013-2013 Secondary Roads Improvement Program for Mitchell County (a copy is hereby attached and becomes a part of the minutes).

Mr. Charles Ledford discussed issues with SR 1331 Greasy Creek Road. Commissioner Hollifield stated there was an issue with the State obtaining the necessary right of ways for that road to be paved. Chairman Slagle requested that NC DOT revisit the right of ways for SR 1331.

Mr. Sam Garland expressed his concern for the amount of traffic on Fork Mountain due to the closure of the bridges. Chairman Slagle informed the NCDOT about the recent loss of lives on this road. He stated that there were some life safety issues that needed to be addressed.

Commissioner Street moved to approve the NC DOT Secondary Road Improvement Resolution (a copy is hereby attached and becomes a part of the minutes). Commissioner Hollifield seconded the motion and it carried unanimously.

Chairman Slagle closed the public hearing at 1:16 p.m.

- B. Scenic Byway** – Chairman Slagle called the public hearing to order at 1:16 p.m. He stated the purpose of the public hearing was to receive public comments on the proposed Highlands of the Roan Scenic Drive. Becky Anderson provided the Board with a description of the proposed scenic byway.

No public comments were received.

Chairman Slagle closed the public hearing at 1:25 p.m.

6. ITEMS FOR DISCUSSION

- A. Resolution in Support of Highlands of the Roan Scenic Drive** – Commissioner Holtsclaw moved to adopt the Resolution in Support of Highlands of the Roan Scenic Drive (a copy is hereby attached and becomes a part of the minutes). Commissioner Street seconded the motion and it carried unanimously.
- B. Resolution Supporting Senate Bill-321 – Contain Counties Inmate Medical Costs** – Commissioner Street moved to adopt the Resolution Supporting Senate Bill-321 (a copy is hereby attached and becomes a part of the minutes). Commissioner Holtsclaw seconded the motion and it carried unanimously.
- C. Designation of Lead Agency for Senior Services in Mitchell County** – Commissioner Street moved to designate the Senior Center as the Lead Agency for Senior Services in Mitchell County. Commissioner Hollifield seconded the motion and it carried unanimously.
- D. Appointment of the Home & Community Care Block Grant Advisory Committee** – Commissioner Hollifield moved to appoint David Dale, Sheila Grindstaff, Roger Hinshaw, Melba Hughes, Charles Vines, Mavis Parsley, Jeff Vance, Christina Jenkins, Paula Holtsclaw, David Reed, Anita Davie and Norma Duncan to the Home and Community Care Block Grant Advisory Committee. Commissioner Street seconded the motion and it carried unanimously.
- E. Appointment of EDC Board Members** – Commissioner Street moved to appoint John Boyd, Richard Canipe, Shirley Hise, Oscar Weinmeister, Tom Ellis, Bud Young, Joe Street, Charles Vines and John Britt to the Economic Development Commission. Commissioner Hollifield seconded the motion and it carried unanimously.

Commissioner Hollifield moved to approve the following term limits for the EDC Members.

- John Boyd 2 Year
- Richard Canipe 3 Year
- Shirley Hise 1 Year
- Oscar Weinmeister 2 Year
- Tom Ellis 3 Year
- Bud Young 2 Year
- Joe Street 1 Year
- Charles E. Vines 3 Year
- John Britt 1 Year

Commissioner Street seconded the motion and it carried unanimously. Chairman Slagle asked that Joe Street serve as the Interim Chairman and to hold a meeting before the next Commissioner's meeting, so that he could update the Board on the new officers for the EDC.

7. CLOSED SESSION

Commissioner Street moved to enter into closed session in accordance with NC GS § 143-318.11 (a)(3) which reads as follows: To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded. Commissioner Hollifield seconded the motion and it carried unanimously.

Commissioner Street moved to go out of closed session. Commissioner Hollifield seconded the motion and it carried unanimously.

Closed Session was held from 1:35 p.m. until 1:55 p.m.

Commissioner Hollifield moved for County Attorney Hal G. Harrison to proceed with an appeal to the NC Supreme Court in the matter of the Appeal of Blue Ridge Housing, LLC from the decision of the Mitchell County Board of Equalization and Review. Commissioner Street seconded the motion and it carried unanimously.

8. ADJOURNMENT – Commissioner Hollifield moved to adjourn the meeting. Commissioner Holtsclaw seconded the motion and it carried unanimously.

The meeting adjourned at 2:00 p.m.

MITCHELL COUNTY BOARD OF COMMISSIONERS

Bill Slagle, Chairman

Joe Street, Vice-Chairman

Ken Hollifield, Member

Keith Holtsclaw, Member

Rickey McKinney, Member

ATTEST:

Kathy Young, NCCCC Clerk to the Board