

**STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
BOARD OF COMMISSIONERS
SPECIAL AND REGULAR SESSION
NOVEMBER 9, 2009**

ASSEMBLY

The McDowell County Board of Commissioners met in special session at 4:30 p.m. on Monday, November 9, 2009, in the Commissioners' Board Room, the usual place of meeting. Immediately following the special session, the Board began its regular session at 5:00 p.m.

MEMBERS PRESENT

David N. Walker Chairman; Barry E. McPeters, Vice-Chairman; Dean Buff; Michael Lavender; and Andrew K. Webb

OTHERS PRESENT

Charles R. Abernathy, County Manager; Carrie Padgett, Clerk to the Board; Ashley Wooten, Assistant to the County Manager (Video); and Reporters Mike Conley for THE McDOWELL NEWS, and Wendy McAnally of THE NEWS BULLETIN OF McDOWELL.

CALL TO ORDER

Chairman Walker called the meeting to order and asked the County Manager to proceed.

BUDGET REVIEW AND AMENDMENTS

The County Manager gave a general introduction, noting the changes made to the financial report (general ledger) for a more concise and user friendly document that is consistent with the new organization of the budget ordinance presented to the Board in the spring. The Finance Officer explained the format of the new form. Mr. Abernathy advised caution should be exercised in reading the new report.

In discussion of the report, Mr. Abernathy presented the following big expense items that are forthcoming:

Fund Balance appropriated	\$185,799 (\$25,000 from the Nebo Base)
Adult Probation	\$22,000
Jail Reimbursement	\$90,000
Parking Lot	\$35,000

Library Roof \$12,000

Other items mentioned were an additional requirement being passed on to the County to assume responsibility for medical costs for inmates, and obligations regarding the water line extensions on Harmony Grove Road and South Creek if this materializes with partial funding of grants. Mr. Abernathy pointed out the cost to extend the water and sewer to the Sugar Hill Road commercial project will not occur until the next budget year, but the installation of the water main to the Nebo Fire Department would occur.

Mr. Abernathy presented the following budget amendments for the Board's approval:

- GF 1 Concerning filing for sales tax reimbursement on purchases that are made.
- GF 2 For additional funds received from the City and the Town of Old Fort for the conducting the municipal elections
- GF 3 For grant funding that was received for Emergency Medical Services
- GF 4 For budgeting carry forward donated funds from the Library
- GF 5 Budgets funds for tax audits that are conducted and attorney fees for foreclosures
- GF6 By request of the Sheriff, asset forfeiture funds will be used to pay for specialized training received by an employee. Staff has no problem with this.
- GF7 A DSS amendment that allocates additional revenue received along with carry forward funds. The primary area is Day Care Revenue for indigent children and the nutrition program.
- GF 8 The first two amended figures have dedicated revenue sources. Staff will try to collect on the mobile home demolition bill from the owner but this is going to be unlikely. Funds for this should probably be included in next year's budget.
- FHPP1 Allocates funds from grants for the Foothills Pilot Project. An update on this should be received in December or January.
- GF 9 Amendments under the amount that County Manager can approve.

A motion was made by Commissioner Lavender to approve the budget amendments as presented. Commissioner McPeters seconded the motion and the vote was unanimous.

The last item was related to the Nebo Water Project. Mr. Abernathy asked for authorization to waive penalties on current bills and on those to be sent out this month. He said staff was having some difficulty getting the full billing process accomplished, primarily because citizens are having their accounts drafted and the process is currently being handling manually. Other changes recommended were to reduce the "later payment fee" from \$10.00 to \$5.00, the "disconnect penalty" from \$50.00 to \$30.00, to set the "date of assessment on disconnect" from the 20th day to the 25th day, and to establish an "upgrade tap size fee" at \$250.00. The waiver of penalties would be for October and November.

A general discussion followed.

Commissioner Webb made a motion to receive staff's recommendation for the late payment fee, disconnect penalty, date of assessment on disconnect, the upgrade tap size fee, and to grant waiver for penalties in the months of October and November. Commissioner Lavender seconded the motion and the motion carried unanimously.

Commissioner Buff made a motion to close the special meeting. Commissioner McPeters seconded the motion and the vote was unanimous.

REGULAR SESSION

Chairman Walker called the regular session to order at 5:00 p.m. Commissioner McPeters led the group in the pledge of allegiance, after which Commissioner Webb gave the invocation.

APPROVAL OF AGENDA

Chairman Walker advised there were two additions to the agenda, the first being a letter in relationship to the closing of the Ford Dealership in Marion, added under New Business as Item D. The second item would be a Trails Discussion Update, added under New Business as Item E.

APPROVAL OF MINUTES

Minutes of the September 14, 2009 Secondary Roads Public Hearing and the regular session were presented for approval.

Upon motion by Commissioner McPeters and a second by Commissioner Webb, the minutes were unanimously approved as recorded.

Chairman Walker recognized Scout Andrew Warburton who was in attendance. He stated it is always good to see the scouts out and active in County Government and he wanted them to feel free to call any time the Board and County staff could be of assistance.

PRESENTATION OF RECYCLING CHECK

Chairman Walker recognized Dan Smith, County Extension Director and Chairman of the Solid Waste Committee, who was present to report on the recycling program begun last year for acceptance of commingled material. Mr. Smith stated the “cornerstone” of that program was the new recycling program with McDowell County Schools. He thanked all the schools, the Board of Education and all the staff for their cooperation in this effort, noting that an additional 40 tons of material had been recycled from the School System. One part of the program was that the school having the greatest amount of recycling would be recognized with an award. He called Mrs. Kirkpatrick, principal at North Cove Elementary School, to receive the award on behalf of her school.

Mr. Smith explained the award was based on the amount of material recycled “per student” and they had done 21.78 pounds per student. The second highest was Eastfield Elementary with 14.42 pounds per student. He thanked them for all their hard work in this effort.

On behalf of the Board of Commissioners, Chairman Walker presented a “Certificate of Appreciation” to North Cove Elementary School and expressed their appreciation to Mrs. Kirkpatrick, her staff and all the students for a job well done. Mr. Smith said a celebration at the school is being planned.

Mr. Smith advised the school recycling program is going well, noting they had a grant from the Department of Pollution Prevention to buy containers and new carts to help with implementation. He said the County’s Public Works Director anticipates a higher tonnage rate in the coming year, noting that recycling is increasing at the convenience centers. Mr. Smith felt like this was partially due to the educational efforts being done in the schools, publicity about recycling, and the convenience of being able to commingle material.

Continuing, Mr. Smith noted the Board of Commissioners had voted at their September meeting to return \$4,200 to the schools for their efforts and he had asked the County’s Finance Officer to send a check to the Central School Office for distribution to the schools.

Discussion followed on the materials that can be commingled.

Chairman Walker recognized Dr. Murray, of McDowell County Schools. Dr. Murray said he was honored and privileged to be at this meeting in support of the schools, of which he was very proud, and was excited about the partnerships with the County, such as the solar energy project being considered. He made reference to a recent

meeting of the LINKS program at which the County Manager had spoken. He said it was interesting to hear of all the things the County continues to do in spite of the tough economic time. He mentioned the assistance Mr. Smith had given the schools in the radon situation they were experiencing, noting he had been a valuable resource for them.

Chairman Walker also thanked Mr. Smith for his work in the various projects he is involved.

PRESENTATION REGARDING HOUSING INITIATIVE

Chairman Walker asked the County Manager to lead the discussion regarding the housing initiative. Staff members Phillip Hardin and Weyland Prebor, DSS and Senior Center Directors respectively, Don Ramsey who represents the Blue Ridge Baptist Association and is involved in this issue, Gail Bishop who is with the State's Vocational Rehabilitation Services Agency and is a native of McDowell County, and Terry DePoyster from the McDowell Volunteer Center were recognized as participants as well.

Mr. Abernathy said there had been a discussion for years about establishing a McDowell County and housing partnership coalition for needs that arise in the way of substandard homes where primarily senior citizens or disabled people live. He pointed out that while there are various church groups and other organizations providing a service, there is really no centralized location for people to go when a need arises. He stressed the fact that the group wants to move very slowly on this issue without offending any one or competing with other groups in what they are doing. He mentioned grants and other programs in which the County has participated (CDBG, weatherization program, scattered site housing, etc.) but pointed out the participation has been fragmented without a focus effort to address the existing issue.

Mr. Abernathy made reference to information in the agenda packet provided to him by Mrs. Bishop in which the Housing Finance Agency estimates that 21% of the County's 18,377 housing units have problems that need to be addressed. Other counties do have a coordinated program, often set up as non profits and serve to coordinate housing services, take applications and apply for resources. A small group, five including himself, had met the previous week with a representative from a Housing Partnership formed in Madison County. He said this Partnership seems to be quite successful and easy to duplicate. Therefore, the group wanted to recommend that a housing coalition be formed, with a beginning date in January, 2010, that a committee be named to develop guidelines, by-laws, etc., to work under the authority and legal structure of the Council on Aging, with direct assistance being provided through the Volunteer Center and its Director.

Phillip Hardin advised his department has an interest in this initiative, that they had received a grant, and indicated that some staff time could be devoted toward this effort. He mentioned involvement of the Council on Aging, having the non-profit status, etc. He said the group wants to start small, get a real focus, and make it work well. He said he was open for any questions.

Gail Bishop addressed her work in the rehabilitation program and the success of what has happened in Madison County with 1,500 volunteers, noting they had done 60 homes, etc. She stated she felt the program would be very beneficial for McDowell County and would be a good partnership for the County and those they serve.

A motion was made by Commissioner Lavender to endorse this initiative and to have the DSS staff to direct it, with involvement of the Council on Aging. Commissioner Webb seconded the motion which passed by a unanimous vote.

UPDATE ON MEETING FOR WIDENING HIGHWAY 221

In a general overview of the Utility Committee meeting, the County Manager advised they had met with the new DOT Board member as discussed at the last meeting and results were somewhat promising. The widening through McDowell County will not be moved forward. However, with the section in Rutherford still taking place and the section north of Marion already complete, they felt it was almost automatic that the remainder would be completed in the 5-10 year framework.

Both Commissioner Webb and Commissioner Buff spoke of the need for the corridor.

BOARD APPOINTMENTS

Chairman Walker again reviewed the board vacancies for the Marion Area Fire Advisory Board of Directors and for the Town of Montreat Board of Adjustment and Planning and Zoning Board. There were no applicants for either.

PUBLIC HEARING REGARDING ECONOMIC DEVELOPMENT PROJECT

Chairman Walker declared the Board in public hearing for the purpose of receiving public comment concerning economic development incentives offered by McDowell County for economic development activities as authorized by Section 158-7.1 of the North Carolina General Statutes.

As Economic Development Director, Chuck Abernathy gave a brief overview of the project, including what is required and what could not be said about the project. The County has determined that the public benefit to be derived and received include the capital investment of one million one hundred thousand dollars in building, machinery and equipment and the employment of 103 people within the first three years. The proposed wages paid by the company, which could not be named, will exceed the County average, and the company has said that in years 3 and 4 the number of employees could be up by 70.

Mr. Abernathy stated there might be an official announcement within a couple of weeks.

Chairman Walker opened the floor for comments from the public. However, no one responded indicating a desire to speak.

Commissioner McPeters made a motion to close the public hearing. Commissioner Buff seconded the motion and the vote was unanimous.

A motion was then made by Commissioner Lavender to approve the project incentive package as presented. Commissioner McPeters seconded the motion.

In discussion, Commissioner Lavender amended the motion to state the amount of incentive being offered would include the payment of \$310,000 paid over three years for site and building improvements for a capital investment of \$1.1 million and the employment of 103 people within three years. Commissioner McPeters amended his second accordingly.

When put to a vote, the motion carried by a unanimous vote.

Chairman Walker thanked Mr. Abernathy and the staff for all the work done on this project.

The Chairman asked for an update on other projects that are under consideration. Mr. Abernathy stated one project has had some setbacks, etc. but is one that would provide 45 jobs although everyone is not comfortable yet overall. Another one would have 15 to 20 jobs.

Mr. Abernathy also gave a general update on the “big box” project, noting that according to the City Manager, the owner did sign the job creation documents, etc. Also, he stated there was an expansion at Baldor, Toolcraft and Morganton Pressure Washers.

APPROVAL OF VIPER GRANT PARTICIPATION/UPDATE

Emergency Services Director Terry Young provided information on the various regions involved in the emergency management planning and Viper grant. The Viper Grant process would have the County paying \$150,000 for equipment for which it would be immediately reimbursed. He requested the County participation as a sponsor in this project for five viper units being added.

Discussion followed on the benefit of having these units available in the County.

Commissioner Webb made a motion to approve the request for participation in the Viper Grant project as presented, for which the County will be reimbursed. Commissioner McPeters seconded the motion and the vote was unanimous.

In other matters, Mr. Young addressed a regional planning initiative involving a hazard mitigation grant. He stated the Hazard Mitigation Plan has to be updated in order

to receive funds and those involved were working diligently on updating the Plan and would be presenting it to the Board as soon as it is completed.

PRESENTATION ON THE TRAVELING VIETNAM MEMORIAL

Randy Hollifield came before the Board to request its endorsement on having a “Traveling Vietnam Memorial” come to McDowell County. He advised he was not asking for anything other than the Commissioners’ support for the project, and would involve as many of the veterans groups as possible to make this a reality. He pointed out he would need volunteers with expertise in a number of areas to assist with this project, with a committee being named to guide the process. He said donations would be accepted and appreciated.

In discussion, Commissioner Webb said he liked the “mix” for this project, especially the inclusion of all the various war representatives, and he felt that a regional involvement would be good.

Commissioner Lavender made a motion to endorse this project and to ask Veterans Service Officer Alan Mainer to assist. Commissioner McPeters seconded the motion and ayes carried unanimously.

REQUEST CONCERNING BADGE AND SIDEARM

Chairman Walker called Sheriff Dudley Greene forward at this time concerning a requested sidearm and badge.

Sheriff Greene stated October 30th was the date that Gene Patrick of the Sheriff’s Department had retired after 30 years or better in various capacities with that department, lastly as a School Resource Officer. He said Mr. Patrick would stay on as a part-time officer. The Sheriff commended him for all his dedicated work and how he had conducted himself, being available any time that he had been needed. The Sheriff requested that Gene be permitted to receive his badge and sidearm upon his retirement.

A Resolution Authorizing the Transfer of the Law Enforcement Badge and Sidearm to Arthur Gene Patrick upon his Retirement from McDowell County Law Enforcement Service was introduced for the Board’s approval.

Commissioner Webb made a motion to approve the Resolution, thereby granting the request, as presented. Commissioner Buff seconded the motion and the vote was unanimous.

Commissioner McPeters commented on Gene’s work and his involvement with the School System. He then read aloud the Resolution and presented it to Mr. Patrick on behalf of the Board.

PRESENTATION ON FITNESS 4 LIFE

Cara Lafon, from the McDowell Hospital, came before the Board to give a presentation on the Lighten Up 4 Life Program. Ms. Lafon gave statistical information on why this program is so necessary and what is expected of those participating, as well as other information on the schedule, their website, etc.

The County Manager stated staff was supportive of the program and would recommend County Participation. Chairman Walker challenged his fellow Commissioners to join the program as a team.

Commissioner Lavender made a motion to endorse the Lighten Up 4 Life Program, to join the program as a team, and to adopt a Proclamation for endorsement. Commissioner Webb seconded the motion and the vote was unanimous.

OVER MOUNTAIN VICTORY TRAIL/McDOWELL HOUSE DISCUSSION

Chairman Walker recognized Commissioner Lavender at this time to give an update on the work that has been done toward the Over the Mountain Victory Trail/McDowell House project. Commissioner Lavender noted the benefits of changing the site for the OMTV headquarters and what is happening with respect to “garnering the benefits”. He introduced the *Resolution Regarding The McDowell House Property and The Over Mountain Victory National Historic Trail Headquarters and Visitor’s Center* and asked that it be considered for adoption.

Dysartsville resident Albert Dale gave a presentation on his attendance at the meeting in Abington, Virginia. Mr. Dale addressed the upcoming meeting for discussion on relocation of the headquarters. He encouraged everyone to submit comments, be in attendance, etc. for locating the headquarters here for the National Park Service.

Commissioner Lavender read parts of the Resolution, noting the importance of having the headquarters located in McDowell County.

Commissioner Lavender then made a motion to endorse the Resolution as presented. Commissioner McPeters seconded the motion and the vote was unanimous.

TAX MATTERS

The usual listing of tax releases and refunds were presented for approval. In summary, they were:

Releases under \$100.00	Released amount of \$490.14
Releases Over \$100.00	Released amount of \$2,112.60
Motor Vehicle Releases Under \$100.00	Released amount of \$1,174.47

Motor Vehicle Releases Over \$100.00	Released amount of \$1,049.99
Release Refunds	Refunded amount of \$1,023.92

A motion was made by Commissioner Buff to approve the tax releases and refunds as presented. Commissioner Webb seconded the motion and the vote was unanimous.

ADDITIONAL ITEMS

An additional item considered was the letter regarding the closing of the local Ford Motor Company. The County Manager noted the interest of the many local residents and others who wished for the continuance of a presence of the Ford Motor Company. He had drafted a letter from the Board addressed to Ford's CEO concerning the matter.

Commissioner Buff made note of the fact that the County's ambulances, the school buses, and other County vehicles are all products of Ford. By consensus, the Board agreed to include this as well as the fact that Mr. Ford Miller had agreed to assist the company to remain open.

A motion was made by Commissioner Lavender to authorize staff to send the letter with the inclusion of the notes that had been mentioned. Commissioner Buff seconded the motion and, by a unanimous vote, the motion carried.

The second item was the PARTF grant, for which the County Manager gave an update and explained what action was needed.

A motion was made by Commissioner Webb to authorize staff to proceed with the Recreation Capital Plan. Commissioner McPeters or Lavender seconded the motion and the vote was unanimous.

REPORTS AND COMMUNICATIONS

The County Manager reminded the Board of the event on Thursday, November 12th, 6:30 p.m. at the Senior Center to honor Emergency Services personnel as well as those citizens who have benefited from their services.

ADJOURNMENT

There being no further business to transact at this time, upon motion by Commissioner McPeters and a second by Commissioner Lavender, the meeting was adjourned.

DAVID N. WALKER, CHAIRMAN

CARRIE PADGETT
CLERK TO THE BOARD