

**STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
BOARD OF COMMISSIONERS
REGULAR SESSION – SEPTEMBER 8, 2008**

ASSEMBLY

The McDowell County Board of Commissioners met in regular session at 5:00 P.M. on Monday, September 8, 2008, in the Commissioners' Board Room, the usual place of meeting.

MEMBERS PRESENT

Andrew K. Webb, Chairman; Dean Buff; Michael Lavender; and Barry E. McPeters

THOSE ABSENT

David Walker, Vice-Chairman

OTHERS PRESENT

Charles R. Abernathy, County Manager; Carrie Padgett, Clerk to the Board; Ashley Wooten, Assistant to the County Manager (Video); and Mike Conley, Reporter for THE McDOWELL NEWS

CALL TO ORDER

Chairman Andrew Webb called the meeting to order. The invocation was given by Dean Wall, former chief of the McDowell County Rescue Squad, followed by the pledge of allegiance, led by Commissioner McPeters.

APPROVAL OF MINUTES

Minutes of the July 14, 2008 regular session were presented for approval.

Upon motion by Commissioner McPeters and a second by Commissioner Lavender, minutes of July 14, 2008 were unanimously approved as recorded.

APPROVAL OF AGENDA

With no additions being made to the agenda, Commissioner McPeters made a motion to approve the agenda as presented. Commissioner Buff seconded the motion and the vote was unanimous.

RESCUE SQUAD 50TH ANNIVERSARY RESOLUTION

The County Manager stated three members of the Squad were present who wanted to give an update of their activities. Also, he introduced a draft resolution entitled *RESOLUTION RECOGNIZING THE McDOWELL COUNTY RESCUE SQUAD FOR FIFTY YEARS TO THE CITIZENS OF McDOWELL COUNTY* for the Board's approval. He advised the resolution would be prepared for execution by the Chairman and officially presented at a later date.

Those present from the Rescue Squad were President Ricky Wright, Past President Dean Wall, and Treasurer Bruce Messing.

Mr. Wall stated the Rescue Squad would have the dedication and ribbon cutting for their new facility on Sunday, September 14th, with cake and other refreshments. Several state dignitaries will be present as the Squad celebrates its 50th year. He extended an invitation to the Board of Commissioners and County staff for this event.

Chairman Webb extended congratulation to the Rescue Squad upon its 50th Year Anniversary, noting the many changes they had witnessed during those years, remembering when things were done in a simple way, and now were trying to keep pace in a world of technology. He mentioned his recent visit up to Point Lookout and the thought that in the near future, emergency services would have to be provided to this remote area.

Commissioner Lavender made a motion to approve the *RESOLUTION RECOGNIZING THE McDOWELL COUNTY RESCUE SQUAD FOR FIFTY YEARS OF SERVICE TO THE CITIZENS OF McDOWELL COUNTY*, with the ability to "tweak" as necessary. Commissioner Buff seconded the motion and the vote was unanimous.

UPDATE ON NUTRITION CENTER FUNDRAISING/CONSTRUCTION

Chairman Webb called forward Weyland Prebor, Senior Center Director, who would provide an update on the New Nutrition Center in Old Fort. The Chairman said he had noticed brick was going up.

Mr. Prebor advised they had been in process of fundraising for two years and had sold approximately 50 bricks at \$100.00 per brick. He said they had several donors who had given sizable amounts, the largest being \$25,000 from the Community Foundation of Western North Carolina. The Town of Old Fort had pledged \$25,000 over three years, the Focal Point Advisory Council and Family Pharmacy in Old Fort had given \$5,000 each, and the Ebenezer United Methodist Church in Old Fort had given \$3,000 for the kitchen to be named in honor of Mary Grindstaff, Site Manager at the Old Fort Nutrition Center. The total amount raised was \$71,186.

Mr. Prebor stated a high level of excitement exists there.

Chairman Webb commented briefly on the great efforts of everyone in the fundraising, noting that Mr. Hogan had said they would do well.

The County Manager noted the fact the facility will be a community building as well as a nutrition center. He said there would be seating space for 108 and that an “open house” would be held in February. A photograph of the facility was provided in the agenda packet.

DSS RELATED MATTERS

DSS Director Phillip Hardin came before the Board with several items related to his department needing the Board’s approval.

The first item was a decision on whether the County would continue as a “standard” County or change to an “electing” County, action which is due every two years.

Commissioner Lavender made a motion to retain our “standard” status. Commissioner McPeters seconded the motion and the vote was unanimous.

Mr. Hardin advised the next item was good news for them in that they had received a Work First grant award of \$131,000, including \$60,000 for a job coach position. The creation of this position will enable them to assist more people, perhaps with a person located at the Job Link Center.

Commissioner Lavender made a motion to accept the funds and to authorize the creation of the new position. Commissioner Buff seconded the motion and the vote was unanimous.

Next, Mr. Hardin advised they ceased use of the Holly Hills Children’s Home for that purpose in July and he had several ideas of how the center could be used, one being a Child Protective Service unit or a child advocacy center. He addressed the benefits of having a supervised visitation center or as a respite area for children with space for a worker and accommodations for sleeping, food preparation, etc. when a child has been brought in.

Discussion followed on what the transition would involve.

Commissioner Buff spoke briefly of how the Holly Hills Children’s Home was established, the involvement of individuals such as Mr. Dewey Grayson and his father-in-law, the Rev. Hall Hollifield. Commissioner Buff noted that Mr. Hollifield’s desire had been that the facility would remain a home for children.

Next, Mr. Hardin advised he had talked with Manna Food Bank a lot about outreach and, due to the large increase in this area, they had offered to pay the County’s share of an outreach worker position. Mr. Hardin pointed out that one idea would be to

go to the Children's home to do food nutrition applications and that individuals could also go to other locations in the County (fire depts., nutrition center, churches, etc.), noting a good tie-in with Manna would be a good step to bring other resources to them.

The County Manager noted the attention that should be given to the new Work First position and to the Manna Food Bank position in alerting the public. Discussion followed with Mr. Hardin addressing changes as far as the pantry aspect, etc.

Commissioner Lavender made a motion to authorize the agreement with Manna Food Bank. Commissioner McPeters seconded the motion and the vote was unanimous.

The final item for discussion was the Medical Assistance program, previously run by Isothermal Planning and Development who no longer wants to run the program. Mr. Hardin said he had agreed to take on the program and had instituted it along with the Medicaid program on August 23rd. He advised they had experienced a problem with software in that the program is truly for the uninsured, has some strict guidelines and is very protective. However, no County dollars are involved and DSS had received a grant from Isothermal in amount of \$25,000 from the Golden Leaf Foundation.

Chairman Webb thanked Mr. Hardin for this update and for his creative efforts in utilizing resources for the County's citizens.

CHARTER CABLE LETTER

The County Manager advised he had received an email from Charter's representative that he would not be present, but the good news was that he thought he had a mechanism to put the cable channel out to the Mediacom patrons. Mr. Abernathy explained the lack of linkage between the two systems, the work that had been done to get them interconnected, and the involvement of Mediacom's Maggie Blythe in getting this done, etc. He advised the purchase orders were in and he would put out a press release in about three weeks

Chairman Webb suggested having Ms. Blythe come to a meeting in order to officially thank her for her efforts, perhaps with passage of a resolution.

Mr. Abernathy addressed the level of frustration regarding this issue, noting that he was interested in hearing from Mr. Corrin because he did not want the County to be left behind regarding HDTV, etc.

A brief discussion followed. Mr. Abernathy said he hoped to have the County's programming to Nebo within a month, noting it is very frustrating to not be able to provide good quality service to the areas of Nebo and Dysartsville.

POINT LOOKOUT TRAIL UPDATE

In his update, the County Manager advised DOT had opened bids on paving of the trail, that crews were working really hard to clear and open drain lines, and that the proposed timetable is to have the trail component ready in November, noting that work had really been stepped up to get this done. He thanked Mr. Thornburg for his assistance and said they want to have a ribbon cutting around October 31st. He advised Anne Swann, assisted by Terrell Finley, did some work in getting the history of Point Lookout. Mr. Abernathy shared some of the items that had been uncovered related to this site.

The Board then saw a video which Mr. Abernathy's Assistant, Ashley Wooten, had made on Friday of Point Lookout.

Chairman Webb spoke briefly of his excitement in going on site and seeing the work that DOT had done to get the trail open. He said he felt this project would prove to be a real asset for the County in the promotion of tourism, etc.

Mr. Abernathy said he wanted to have a flag erected on site and do some simple landscaping with some flowers, trees, benches, etc., with some protection also. He suggested that perhaps the news media could do a story with public input, allowing individuals to share their memories about Point Lookout.

Chairman Webb noted a tentative date of Thursday, October 30th, at 10 a.m. as a date for the dedication. Mr. Abernathy said Mr. Thornburg and Doug McNeal of DOT were very interested in helping to get this project underway. Mr. Wooten shared an idea he had of using small silhouettes of Davey Crockett every tenth of a mile or so along the trail.

FLOOD MAP UPDATE

The County Manager addressed the Board's action in past meetings and the frustration expressed about the burden being placed on the individual in proving that the maps were in error. He pointed out the Board had received copies of the letters sent to our congressional delegation (State representatives had previously received a letter) concerning the situation of the Flood Insurance Rate Maps (FIRMS) and the dilemma in which so many property owners have been placed. He mentioned the GPS unit staff had purchased in order to provide some level of repudiation to have the most outrageous situations documented for submission to the state.

BOARD APPOINTMENTS

Concerning the vacancy on the Jury Commission, for which there were no applicants, Commissioner Lavender suggested that it might be helpful to briefly state in the ad being placed in the newspaper what the duties are for the Jury Commission and that a minimal compensation is provided. The Board concurred with this suggestion.

The vacancy will run for another month on the County's cable channel and in the "Community Briefs" section of THE McDOWELL NEWS.

SET PUBLIC HEARING FOR LGC APPLICATION/BALDWIN AVENUE

The County Manager suggested holding a public hearing on September 29th in order to push forward the LGC application. He mentioned the need for a Scattered Site Housing public hearing and that he would like to schedule a meeting with the McDowell Hospital, the YMCA, and the Trails Association on the other trails project.

The Board agreed to hold public hearings here and then recess to the YMCA at 6:15, with the meeting to adjourn there.

NEBO WATERLINE BIDS

The County Manager stated the water line bids for Sherwood Forest and Watson Road were lower than what had been expected. He pointed out work was very competitive, and that staff and others were researching how the money could be spent, etc., noting that he wanted to expand the lines if possible, which will be additional expense.

Mr. Abernathy presented the bids as follows, requesting that the Board approve the low bid in amounts designated:

For Sherwood Forest:

DPI Construction	\$240,397.50
T & K Utilities	\$265,780.00
Steppe Construction	\$281,197.35*
Hobson Construction	\$292,075.00
Sanford Contractors	\$298,812.00
Buckeye Construction	\$308,646.85*
Hickory Sand Company	\$329,245.00
Wilkie Construction	\$342,044.00

*Denotes corrected total due to mathematical error

For Watson Road:

Steppe Construction	\$243,217.25*
T & K Utilities	\$253,250.00
Buckeye Construction	\$269,788.25
DPI Construction	\$286,950.00
Sanford Construction	\$286,986.00
Wilkie Construction	\$287,885.00
Hobson Construction	\$299,400.00

Hickory Sand Company \$312,880.00

*Denotes corrected total due to mathematical error

Mr. Wooten advised 120 days was projected as the completion date for residents of Sherwood Forest to have water, and that both (Sherwood Forest and Watson Road) should have water by the end of the year.

Commissioner Buff made a motion to approve the awarding of bids to DPI Construction as low bidder at \$240,397.50 for Sherwood Forest, and to Steppe Construction as low bidder at \$243,217.25 for Watson Road, including engineer's letters. Commissioner McPeters seconded the motion and the vote was unanimous.

VEHICLE PURCHASE MTCC

The County Manager said the Board had authorized the purchase of two vehicles for MTCC. Bids were received by the College and the County was approving the bids and the financing. Bids for the vehicles were presented as follows:

Bryan Easler Toyota	\$17,900.00
Town & Country Toyota	\$18,694.60
Town & Country Toyota	\$18,804.60
Bryan Easler Toyota	\$18,900.00
Jim Cook's	\$18,997.00
Scott Clark's Toyota	\$19,400.00
Mike Johnson's Hickory Toyota	\$19,461.00
Honda Cars of Hickory	\$19,600.00
High Country Honda	\$20,199.00
Morganton Honda	\$20,369.00
Honda Cars of Hickory	\$20,600.00
Crown Honda	\$21,258.84
Lake Norman	\$23,391.80

Bids on financing for the two vehicles were received by the County's Finance Department. Staff was recommending BB&T as the low bidder at 3.55% for a four-year period, semi-annual payments in arrears, and no attorney fees, (interest \$3,260.56).

Other responses were:

Fifth Third Bank: 3.39% plus \$1,000 attorney fee (total interest and fee was \$4,10.81)

RBC: 4.39%

Mr. Abernathy presented a *Resolution Approving Financing Terms* for two 2009 Toyota vehicles for the Board's approval.

Commissioner Buff made a motion to approve the low bid with Bryan Easler Toyota at \$17,900 and to approve the *Resolution Approving Financing Terms* with BB&T at 3.55% as presented. Commissioner McPeters seconded the motion and the vote was unanimous.

E-GOV UTILIZATION

The County Manager addressed the use of electronic auction procedures for the sale of surplus items, noting this would be in lieu of the annual County auction. He pointed out more local governments are using this mechanism to dispose of property, that it generates more revenue from sales and is less labor intensive. He noted the City of Marion is now using it.

Mr. Abernathy introduced a *Resolution Authorizing Agreement with GovDeals for Internet Auction of Government Surplus Items* and a *Resolution Authorizing Determination and Disposal of Surplus Personal Property* for the Board's approval.

A motion was made by Commissioner Lavender to approve the *Resolution Authorizing Agreement with GovDeals for Internet Auction of Government Surplus Items* and a *Resolution Authorizing Determination and Disposal of Surplus Personal Property* as presented. Commissioner Buff seconded the motion and the vote was unanimous.

APPROVAL OF ISOTHERMAL CEDS DOCUMENT

The County Manager presented the Comprehensive Economic Development Strategy (CEDS) for the Board's approval, noting that Isothermal Director Jim Edwards had agreed to be present but he did not feel this was necessary.

Commissioner Lavender made a motion to approve the CEDS document as presented. Commissioner McPeters seconded the motion. In a brief discussion, Chairman Webb commented on our ability to improve our participation in their grant process.

When put to a vote, the motion carried unanimously.

TAX MATTERS

Chairman Webb briefly reviewed the tax releases and refunds presented for the Board's approval. In summary, they were:

Releases/Under \$100.00	Released amount of \$487.47
Releases/Over \$100.00	Released amount of \$13,843.07
Release Refunds	Refund amount of \$1,165.15

Motor Vehicle Releases/Under \$100.00 Released amount of \$570.05

Motor Vehicle Releases/Over \$100.00 Released amount of \$123.32

Commissioner McPeters made a motion to approve tax releases and refunds as presented. Commissioner Lavender seconded the motion and a brief discussion followed. When put to a vote, the motion carried unanimously.

DISCUSS BICYCLE LANE ON HIGHWAY 126

Chairman Webb noted information received from Representative Mitch Gillespie concerning the NC 126 Bicycle Lane Enhancement Project that would construct 4' wide bicycle lanes along the North and South sides of NC 126 from the existing Lake James State Park Entrance to the proposed entrance for the additional North Carolina State Park land recently acquired east of the existing park. The project length is approximately 2.56 miles and would cost an estimated \$550,000 through the Department of Transportation. He pointed out this would tie in the route from McDowell to Burke, is all state money, and presents an opportunity to endorse a project.

A motion was made by Commissioner McPeters to send a letter of endorsement to Representative Mitch Gillespie concerning the proposed bicycle land on Highway 126. Commissioner Lavender seconded the motion and the vote was unanimous.

CARSON HOUSE MEETING IN OCTOBER

Chairman Webb commented briefly on the traditional aspects of meeting at the Carson House, their hospitality, and how the Board always looks forward to this meeting.

Commissioner Buff made a motion to move the October meeting to the Carson House as traditionally done. Commissioner McPeters seconded the motion. In discussion, Chairman Webb pointed out 4:00 p.m. was the assumed time table as in years past.

When put to a vote, the motion carried unanimously.

CITIZEN COMMENT

At 7:05 p.m., Chairman Webb checked the sign-in sheet for any speakers who might have signed up. With none registered, he moved on to the next item of business.

CLOSED SESSION/LEGAL MATTER/ATTORNEY CLIENT PRIVILEGE

Chairman Webb called for a motion to go into closed session for attorney client privilege under G.S. 143-318.11 (1) and (3).

Commissioner Buff made a motion to go into closed session as stated. Commissioner Lavender seconded the motion and the vote was unanimous.

The Board was briefed on the issue at hand.

Commissioner Lavender made a motion to go out of closed session. Commissioner McPeters seconded the motion and the vote was unanimous.

REGULAR SESSION RESUMED

When back in regular session, Chairman Webb stated that as a result of the closed session just ended, there was no action to be taken.

ADJOURNMENT

There being no further business to transact at this time, Chairman Webb called for a motion to adjourn until September 29, 2008 for a public hearing concerning improvement to the Ford Miller Building on Baldwin Avenue and a public hearing concerning scattered site housing with staff from Isothermal Planning and Development Commission, after which the Board will recess to the YMCA for a meeting with the McDowell Trails Association and officials of the YMCA and McDowell Hospital in reference to a proposed trail in that area.

Upon motion by Commissioner Lavender and a second by Commissioner Buff, the Board adjourned until September 29, 2008 at 5:00 p.m. for the public hearing as stated.

ANDREW K.WEBB, CHAIRMAN

CARRIE PADGETT
CLERK TO THE BOARD