

**STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL COUNTY
BOARD OF COMMISSIONERS
REGULAR SESSION – FEBRUARY 11, 2008**

ASSEMBLY

The McDowell County Board of Commissioners met in regular session on Monday, February 11, 2008, in the Commissioners' Board Room, the usual place of meeting.

MEMBERS PRESENT

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

THOSE ABSENT

Andrew K. Webb, Chairman

OTHERS PRESENT

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

CALL TO ORDER

In the absence of Chairman Webb, Vice Chairman Walker called the meeting to order. The invocation was given by Commissioner McPeters and Commissioner Buff led with the pledge of allegiance.

APPROVAL OF MINUTES

Minutes of the November 13, 2007 and January 14, 2008 regular sessions were presented for approval.

Upon motion by Commissioner McPeters and second by Commissioner Buff, minutes of the two previous meetings were unanimously approved as recorded.

APPROVAL OF AGENDA

Vice Chairman Walker asked if there were any additions to the agenda. The County Manager said notice had been received on two upcoming vacancies on the Agricultural Advisory Board, presented on first reading, which could be handled under the scheduled item of Board Appointments. Otherwise, there were no additions.

Upon motion by Commissioner McPeters and second by Commissioner Buff, the agenda was approved as amended.

BID RECOMMENDATION AND UPDATE ON NUTRITION CENTER

Chuck Hamrick, from Holland Hamrick Architects, P.A., came before the Board with bid tabulations on the new Nutrition Center in Old Fort.

Mr. Hamrick advised that bids were opened on January 31, 2008 and the low bid was Carolina Shelter from Shelby with a bid of \$773,000 for the base bid and \$66,900 for Alternate 1, \$22,500 for Alternate 2 and \$48,300 for Alternate 3. He described the different alternates including Alternate 1 (multi-purpose addition), Alternate 3 (undercutting of the building pad) and Alternate 4 (soil improvement for parking lot). Other bids were:

<i>Contractor</i>	<i>Base Bid</i>	<i>Alt. 1</i>	<i>Alt. 3</i>	<i>Alt. 4</i>
Construction Logic	\$828,800	\$64,200	\$47,000	\$92,300
Hickory Const	\$884,000	\$75,000	\$36,000	\$108,000
GEM Const.	\$858,889	\$112,968	\$35,981	\$178,040
Moss-Marlow	\$796,284	\$67,825	\$35,370	\$76,040
Perry Bartsch Jr. Const.	\$842,400	\$86,800	\$33,800	\$118,800

In discussion, Commissioner Buff inquired about the likeliness of poor soil and asked how a determination would be made if undercutting the pad was necessary. Mr. Hamrick reviewed the process involved.

Commissioner Lavender asked Weyland Prebor how many people use the current site at this time. Mr. Prebor said that the number was in the upper fifties, but was uncertain what future demand would be because the current facility has space and accessibility issues that may limit the number of people served.

The County Manager stated the action to be taken was to accept the low bid as recommended and to authorize a public hearing for the March meeting in order to approve the bank financing. Mr. Abernathy's recommendation was to authorize the base bid and Alternate 3 (undercutting the building) and Alternate 4 (soil replacement for parking lot) and consider Alternate 1 (multi-purpose addition) to see if the soil item is needed.

A general discussion of which alternates to approve followed. Commissioner Buff expressed support for evaluating the soil conditions before moving forward with the multi-purpose addition, with the possibility of directing donations toward that effort if additional work is needed on site preparation. Commissioner Lavender voiced support for the multi-purpose addition due to the anticipated growth in usage and cost effectiveness. Commissioner McPeters inquired about the difficulty in authorizing the multi-purpose addition later in the construction process. Mr. Hamrick stated that the contractor may honor the bid price, but there was no guarantee.

Commissioner Lavender made a motion to approve the low bid by Carolina Shelter, including Alternates 1, 3, and 4. The motion died due to the lack of a second.

Commissioner Lavender motioned and Commissioner McPeters seconded to award the low bid to Carolina Shelter with the understanding that Alternate 1 would be included if Alternates 3 and 4 were not required, and to move forward with the public hearing on March 10 and to proceed with Local Government Commission approval.

When put to a vote, the motion passed unanimously.

BUDGET AMENDMENTS AND VEHICLE FINANCING

The County Manager presented the following budget amendments for the Board's approval:

Budget Amendment #13 – To allocate homeowners revenue and transfers \$1,000 for new required book purchases.

Budget Amendment #14 – Records a grant received through the Elections Department.

Budget Amendment #15 – Allocates grant proceeds and donations to EMS.

Budget Amendment #16 – Records the McDowell House loan and revenues to the CJPP program.

Budget Amendment #17 – Allocates grant proceeds and donations to the Library.

Budget Amendment #18 – Uses inmate housing revenue to increase the equipment and jail supplies line items.

Budget Amendment #19 – Allocates additional DSS revenue received from the federal government

Budget Amendment #20 - Allocates tax audit expenditures.

Budget Amendment #21 – Allocates loan proceeds for Sherriff's vehicles previously approved.

Budget Amendment #22 – Allocates a portion of the tower rent per the lease agreement.

Budget Amendment #23 – Allocates an EMA grant.

Budget Amendment #24 – Transfers funding from debt service to current operations for McDowell Tech.

Budget Amendment Rec1 – Allocates a balance in the recreation department fund.

Budget Amendment CP1 – Allocates funding transferred from Budget Amendment #22.

Budget Amendment SSH1 – Allocates the scattered site housing grant.

Budget Amendment CH1 – Allocates to the crisis housing grant.

Commissioner Lavender motioned with a second by Commissioner McPeters to approve Budget Amendments 13 through 24 as well as Rec1, CP1, SSH1, and CH1. When put to a vote, the motion passed unanimously.

The County Manager presented financing bids for a Ford F-250 that would be used by the Maintenance Department. Maintenance Director Terry DePoyster mentioned that the vehicle would be purchased off of state contract. Staff recommended the bid by BB&T at 3.19% for a term of 4 years.

Commissioner Buff motioned and Commissioner McPeters seconded to approve the *RESOLUTION APPROVING FINANCING TERMS*. When put to a vote, the motion passed unanimously.

RECREATION UPDATE

Continuing under old business, the County Manager gave the board an update on two recreation matters. First, the County was proceeding with taking over the youth baseball and softball program from the McDowell Youth Sports Association. The County had received the request in December and the Board had authorized the request in January. The programs were already underway.

The second issue was the merging of the Old Fort maintenance and facility operation with the county. Mr. Abernathy explained that the Old Fort Alderman had unanimously approved the same concept approved by the county in January and were very appreciative. The Old Fort recreation employee would become a county employee in mid-February and the completion of the merger including lease agreements would take place prior to the end of the current fiscal year. The Board expressed its appreciation for the cooperation with the Town of Old Fort and expressed confidence in the decision.

WATER LINE UPDATE

Vice Chairman Walker next requested an update on the various water line projects underway. The County Manager informed the Board that a grant had been secured in the \$247,000 range for the extension of water on the upper (northern) part of Watson Road. The Board had previously approved this grant submission. The bidding of the Watson Road

extension and the Sherwood Forest extension was still not ready to proceed based on the required approvals of various federal agencies.

Mr. Abernathy explained that the next issue was an update on the water filtration plant. He explained that a State and Tribal Assistance Grant (STAG) was submitted to Congressman Health Shuler's office and the application would also be submitted to Senator's Dole and Burr. The grant would be in the 3.5 to 4.0 million range. The Board expressed satisfaction with the progress and Vice Chairman Walker expressed his appreciation to Commissioner's Webb and Buff for meeting with the congressional staff. Dean commended the previous and current boards for their efforts in making strides in the water business.

RECYCLING UPDATE

Dan Smith, Cooperative Extension Director and Chairman of the Recycling Committee, Public Works Director Mike Gladden, and Keep McDowell Beautiful Coordinator Gloria Burrow came before the Board with an update on the County's Recycling Program.

Mr. Gladden presented an update on infrastructure and recycling initiatives. The County is now co-mingling recyclables at convenience centers and is hopeful that the reduced handling by county employees and citizens will increase the efficiency of the program. Co-mingling will also allow for more materials to be recycled, reducing the tonnage of waste sent to the landfill.

Mr. Gladden described an initiative that would involve increased recycling at the schools. Under the committee's proposal, each school would receive half of the revenue collected by the committee, an annual amount of \$500-\$1,000 per school. Each school would be responsible for collecting recyclable material which would then be collected by the County.

Ms. Burrow described the committee's plan for implementing a recycling education program with public and schools. A video will be produced for the county channel as well as for playback at the schools. The committee will also develop new brochures and education materials for distribution throughout the county. In addition, recycling committee members will make presentations at various community groups about the new recycling effort.

Mr. Smith said the county had come a long way since the days of non-staffed green box sites to current efforts such as the new loading platform for recyclables. He gave an overview of a grant that will pay for education and containers for the schools and county buildings. He also asked for the Board's approval of the revenue sharing proposal with the schools.

A general discussion of the revenue sharing proposal followed. Commissioner Lavender motioned with a second by Commissioner Buff to approve the grant application as well as the 50% revenue sharing with the schools. When put to a vote, the motion passed unanimously.

REQUEST CONCERNING COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY

Jim Edwards, Director of Isothermal Planning and Development Commission, came before the Board with a request concerning the Comprehensive Economic Development Strategy which he had presented to the Board several months ago.

Mr. Edwards thanked the Board for their kind words on behalf of Isothermal. He explained that Isothermal is in the process of developing a Comprehensive Economic Development Strategy for the four member counties. The purpose of the document is to provide a strategy for economic growth for the region. It will also permit the local governments and other agencies in the four county region to apply for funds from the federal Economic Development Administration. Mr. Edwards noted that McDowell County could create its own document, but he felt that a combined document would be more cost effective for the area counties.

Mr. Edwards stated that a consultant will create the document with a total cost of \$40,000. He asked the Board to support the process with a one-time allocation of \$7,500, noting that the potential benefit could be in the millions of dollars. According to Mr. Edwards Rutherford County has committed to the project. He had yet to meet with the Boards from Polk or Cleveland.

The County Manager said that the MEDA board had endorsed the process and requested that the Board of Commissioners support the plan. He stated that EDA funds could be used for projects such as Ashworth Road and the future filtration plant site assuming there are job creation benefits.

Commissioner Buff stated that the small cost of the document would be insignificant if the County were able to receive one grant.

Commissioner Buff motioned and Commissioner McPeters seconded to approve the funding request. When put to a vote, the motion passed unanimously.

McDOWELL HOUSE COMMITTEE UPDATE

Vice Chairman Walker recognized the County Manager to give an update on the purchase of the McDowell House. Mr. Abernathy explained to the Board that the financing and the closing on the McDowell House had occurred in January and the process was ready to move forward. Mr. Abernathy recommended that the Daughters of the American Revolution be included on the committee appointed last month and noted that the chairperson of this group, Margaret Adams, was a descendent of the McDowell family. The Board also discussed the naming of a commissioner to serve on the committee.

Commissioner Lavender motioned with a second by Commissioner McPeters to add Daughters of the American Revolution to the committee as well as to appoint Commissioner

Lavender to the committee as the County's representative. When put to a vote, the motion passed unanimously.

REQUEST FROM RED CROSS

Sydney Wilson, Director of the local Red Cross, came before the Board to request financial assistance. Ms. Wilson introduced board members Jack Wood, Carroll Hemphill, and Chairman C.B. Edwards. The local chapter was organized in 1917 and in that time has operated without any assistance from McDowell County. According to Ms. Wilson financial conditions have worsened to the point that they have had to dip into reserve funds at the end of the last fiscal year, and were worried that they would be \$15,000 short at the end of this fiscal year. She requested \$15,000 from McDowell County in order to maintain financially solvent through the end of the year. She mentioned that even though the chapter has had financial constraints, the organization is still responding to requests of assistance from state and local agencies.

Commissioner Lavender asked Ms. Wilson how many employees the local chapter had, and how often staff responded to calls. Ms. Wilson noted that she often responds to calls and is accompanied by volunteers. She stated to the board that she is the only full-time employee and that there are two part-time employees. In response to a question about other funding sources, she said that they had not presented their request to other organizations or local governments, but planned to do some in the coming weeks.

Commissioner Lavender stated that the Board tried to limit funding to non-profits, but also noted that the Red Cross performs an important function for the county. The County Manager noted that the local chapter assists in many crises involving local emergency services providing food and general support.

Red Cross board member Jack Wood expounded on the funding shortfall and mentioned that during recent national emergencies that much of the donations made by local citizens were directed to the national chapter. He pointed out that none of that funding ended up in McDowell County. He concluded his presentation with a plea to the community for assistance.

Commissioner Buff made a motion to fund the local chapter \$7,500 immediately and requested that Ms. Wilson come back before the end of the fiscal year with a report of their finances, and at that time the Board would consider additional funding. Vice Chairman Walker seconded the motion. When put to a vote, the motion passed unanimously.

Vice Chairman Walker commented on the activities of the local chapter and expressed his appreciation for all their hard work.

ROAD MAINTENANCE RESOLUTIONS

The County Manager presented three resolutions that would request abandonment of three roads currently maintained by the North Carolina Department of Transportation. The roads presented were:

SR 1700 Finley Avenue (entire length)
SR 1704 East Railroad Street (entire length)
SR 1500 Fleming Avenue (0.61 mile)

The City of Marion would assume maintenance of these streets once abandoned by the State.

Commissioner Lavender motioned with a second by Commissioner McPeters to approve the resolutions entitled *REQUEST FOR ABANDONMENT TO STATE MAINTAINED SECONDARY ROADS SYSTEM*. When put to a vote, the motion passed unanimously.

TAX MATTERS

The County Manager presented the tax releases and refunds. A summary of the releases and refunds:

Releases/Over \$100.00	Release amount of \$1,700.13
Release refund/Under \$100.00	Release refund amount of \$46.33
MV Releases/Over \$100.00	Release amount of \$778.20
MV Releases/Under \$100.00	Release amount of \$1,004.53

Commissioner Lavender made a motion with a second by Commissioner McPeters to approve tax releases and funds as presented. When put to a vote, the motion passed.

Mr. Abernathy presented a notice from Tax Collector Pam Sain reporting the unpaid 2007 property taxes. As of February 3, 2008, the amount of unpaid real property taxes due was \$1,352,989.84 according to Ms. Sain.

Commissioner Lavender made a motion to approve the posting of the Tax Liens as reported. Commissioner McPeters seconded and the vote was unanimous.

Concerning a date for the Board of Equalization and Review, the Tax Assessor had suggested the date of Tuesday, April 8, 2008 to convene and Tuesday, April 22nd to adjourn. By consensus, the Board agreed to have the Tax Assessor schedule the Board of E&R meeting(s) within the suggested time period as needed.

BOARD APPOINTMENTS

Presented on first reading were two vacancies for the Agricultural Advisory Board. Terms of John English and Jeannie Elliott will be ending soon, both of which may be reappointed if they choose to apply for another term.

HOOK-UP GRANT AGREEMENT

Ashley Wooten, Assistant to the County Manager, explained that the County had received a grant in the amount of \$36,000 that will go towards connecting residents of the Nebo area onto the County water system. There were 10 applicants, but there could be more connections made due to the availability of funds. The Board requested that Mr. Wooten contact potential applicants either directly or through the press.

The County Manager presented a grant agreement, funding approval, and resolution entitled *RESOLUTION AUTHORIZING SIGNATORIES FOR HOOK-UP INFRASTRUCTURE CDBG* for Board approval.

Commissioner Buff made a motion to approve the documents presented. Commissioner Lavender seconded the motion, and the vote was unanimous.

RESOLUTION REGARDING RAIL FREIGHT

Chairman Webb had requested that this item be placed on the agenda and, on his behalf, the County Manager reviewed the item, noting the reasons for more freight use. Vice Chairman Walker stated that increase rail freight would be welcomed especially if the inland port concept comes to fruition.

Commissioner Lavender made a motion to approve the resolution. Commissioner Buff seconded the motion and the vote was unanimous.

CITIZEN COMMENT

With no one signed up to speak at this time, Vice Chairman Walker stated the Board would forego this item.

ADJOURNMENT

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

DAVID N. WALKER, VICE CHAIRMAN

ASHLEY R. WOOTEN
DEPUTY CLERK TO THE BOARD