

**STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL
BOARD OF COMMISSIONERS
REGULAR SESSION – MARCH 11, 2013**

ASSEMBLY

The McDowell County Board of Commissioners met in regular session at 5:00 p.m. on Monday, March 11, 2013, in the Commissioners Board Room of the County Administration Building, the usual meeting location.

MEMBERS PRESENT

David N. Walker, Chairman; Barry E. McPeters, Vice-Chairman; Michael K. Lavender; Randy Hollifield; and Joseph R. (Joe) Kaylor

OTHERS PRESENT

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

CALL TO ORDER

Chairman David Walker called the meeting to order. The invocation was given by Commissioner McPeters, followed by the pledge of allegiance, led by Commissioner Hollifield.

APPROVAL OF AGENDA

With no changes being made to the agenda, Commissioner McPeters made a motion to approve the agenda as prepared. Commissioner Hollifield seconded the motion and by unanimous approval, the motion carried.

APPROVAL OF MINUTES

Minutes of the December 3, 2012 and January 14, 2013 regular sessions, and the special session/public hearing of February 28, 2013 were presented for approval. Also, minutes of the February 11, 2013 regular session were presented at the meeting since they were not included in the agenda packet.

Two changes were noted by Commissioner Lavender in the minutes. On page 7, the latter part of the second paragraph of December 3rd minutes, he pointed out that he had said “he felt *the economic development contracts* should be on-line”. Then on page 3, second paragraph and second sentence of February 28th minutes, he pointed out it wasn’t that he did not favor, but rather it was not our intent to pay off the debt earlier.

Therefore, the last part of the sentence (and did not favor paying off the debt earlier) could be stricken.

With those changes noted, Commissioner Lavender then made a motion to approve the minutes of December 3, 2012 with the correction noted, to approve the minutes of January 14, 2013 as presented, and the minutes of February 28, 2013 with the correction noted. Commissioner Hollifield seconded the motion and by unanimous approval, the motion carried.

No action was taken on the minutes of February 11, 2013 since the Board had not reviewed them.

BUDGET UPDATE AND AMENDMENTS

The County Manager provided his monthly update on the budget including a report from the Tax Collector, and sales tax, and then presented budget amendments as follows:

- GF 33 – Amendments under \$3,000 which the County Manager is allowed to make without Board approval, although they must be presented to the Board
- GF 34 – Amendment receives donations and a grant in EMS/EMA
- GF 35 – Amendment receives a grant in the Elections Department
- GF 36 – Amendment transfers funds within the Board budget to cover travel
- GF 37 – Amendment allocates EMS Collections already collected back to associated costs for the activity. This is routine and is done so that spending is done only where collections have occurred
- GF 38 – Transfers a few custodial hours from Maintenance to the Senior Center
- GF 39 – The Library received a grant to be applied for the purchase of computers
- GF 40 – We did not budget enough to cover the fuel costs in several departments. Amendment is in Waste Collection and covers the cost to run the container/dumpster truck. Amendment adds \$18,000 to the expense line.
- GF 41 – Amendment transfers funds in the Sheriff's budget. DOC revenue is being transferred to cover associated costs.
- GF 42 – Amendment allocates additional federal dollars going into DSS; it also adds Aging dollars

GF 43 – Amendment allocates funds out of the Sheriff’s Jail revenue for the continued purchase of mobile data units in the vehicles

Commissioner McPeters made a motion, seconded by Commissioner Hollifield, to approve budget amendments #33-43 as presented. By unanimous approval, the motion carried.

BUDGET CALENDAR AND BUDGET PROCESS

Chairman Walker asked Commissioner Lavender this item since he wanted it on the agenda.

Commissioner Lavender made the suggestion for the budget this year that the Board consider meeting with all departments with a \$250,000 budget, and with the Public Schools and McDowell Tech outside the County, which are non-departmental units. He noted that in the recent planning session with department heads, the Board heard about their goals and what they would like to do moving forward as well as information on accomplishments in the past year. He said he would like to go back to meeting with at least the larger departments (why he arbitrarily picked \$250,000) to hear what they are requesting as far as new items or requests, noting this would give the County Manager some directions as he is preparing the draft document for the budget. He suggested maybe fifteen minutes for each department, with a longer period of time for some departments, such as DSS.

Mr. Abernathy pointed out the law intends for the County Manager to make a recommendation and, if the Board chooses to meet with every department head after receiving the recommended budget, it would be fine; however, if the Manager is bound to recommend what the Board tells him to recommend after meeting with the department heads, it would not be a recommended budget.

Chairman Walker was content with the staff recommending the budget since the Manager and Finance Officer have met with the department heads and the Board will receive a copy of their requests along with the Manager’s recommended budget. He pointed out that still gives the Board a couple of months for discussion, meeting with external units, and directing staff to make changes as they go forward.

As discussion continued, Commissioner Lavender felt there was still room for some dialogue with discussion of more than one issue, noting that in most years since he has been on the board, very limited changes have been made to the budget.

Commissioner Hollifield asked what is normal in other counties, noting he was sure there is a rule, law, or ordinance to cover this. Mr. Abernathy made reference to the Local Government Budget Fiscal Control Act which addresses budgeting. He said the intent is for the Manager and staff to make a recommendation, and input prior to that recommendation is not a problem, but meeting with every department head he would dare say does not happen. However, he said meeting with them after the recommendation is

made is fine because everything (departmental requests, revenues, etc.) is seen or known at this point. He said it is the Board's budget and they can make changes or do whatever they want, but the way the County does the budget is really standard.

More discussion followed.

Chairman Walker suggested having a document that would be more easily read and understood, listing the short, mid, and long-term goals to make things clearer to the Board. He said he felt it is staff's job to present a budget, and after that the Board can add, subtract, or do whatever it wants to do with the documentation presented.

Commissioner Lavender made a motion to meet with any department head that has a budget in excess of \$250,000 some time over the next six weeks, that they spend 15-20 minutes with most of them or, if need be, 30-45 minutes with the larger departments, not to talk about their accomplishments which they have already heard, or to talk about every line item, but those items which they think are different that may be increased for some reason, perhaps an extra staff person, etc., and that they be asked specifically to identify and prioritize their short, mid, and long-term budget needs, whether in staff and personnel or equipment, and to prioritize in that order. He said he would anticipate this being for 2-3 meetings, with 2-3 hours maximum. Commissioner Kaylor seconded the motion.

Commissioner Hollifield asked how many departments would be involved and when would these meetings be held. Commissioner Lavender said he was thinking of 12-13 departments, in addition to McDowell Tech and the Public Schools, over the next six weeks.

As discussion continued, Commissioner McPeters asked, instead of setting up a meeting and taking more time, could staff send to the Board the requested information from those departments for the Board to review, and then present a recommended budget. He pointed out the Board has changed the budget, either positively or negatively, since he has been on the Board because needs have come in afterward and they have tried to meet those needs. He said he understood what Commissioner Lavender was saying and that he was willing to meet with department heads; however, he did not feel this to be necessary when the Board receives the information and can review it.

Again, Mr. Abernathy said he did not have a problem with the Board meeting with any agency, but he did feel this should occur after he prepares a recommended budget.

As discussion continued, Commissioner Lavender made a modification to his motion saying that they ask the County Manager to get those revenue projections and departmental budgets together by the third week of April and that the Board then begin to make those meetings but with the understanding of doing all of them or \$250,000 plus (either one) to talk about priorities or new short, mid and long-range items. With some questioning the timeline of the third week in April, Commissioner Lavender changed this

to the first week of May. Commissioner Kaylor seconded the amended motion and by unanimous approval, the motion carried.

RESOLUTION REGARDING SALE OF PROPERTY

The County Manager advised the Board of Commissioners several months ago received an offer on a piece of property which they rejected. This was a piece of property the County had purchased and transferred to the Town of Old Fort. The Board's direction was that they wanted to receive a price of \$6,000. A bid proposal of \$6,000 had now been received. Based on the Board's previous action, staff had initiated the upset bid process, and a resolution had been prepared for the Board's adoption if they agreed because it is legally required. Mr. Abernathy pointed out the Board was not contractually bound to accept the \$6,000 offer, that they could still reject the bid if they so chose, but he saw no reason for the County to own that property.

Commissioner Kaylor made a motion to accept the bid proposal of \$6,000 and to adopt the required resolution. Commissioner Lavender seconded the motion and a very brief discussion followed. By unanimous approval, the bid proposal was accepted and the resolution was adopted as follows:

RESOLUTION AUTHORIZING SALE OF COUNTY OWNED PROPERTY

WHEREAS, the County of McDowell desires to sell property located on Orchard Street in Old Fort, N.C; and

WHEREAS, property consists of 0.93 of an acre and has a current tax value of \$11,200.00; and

WHEREAS, the upset bid process per G.S. 160A-269 is recommended for the sale of this property; and

WHEREAS, the buyer of property will be responsible for all costs associated with the sale, including legal and advertising. The bidder will also submit a 5% bid deposit upon submitting their bid.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of McDowell County that:

The County of McDowell desires to sell property located on Orchard Street through an upset bid process and accepts an initial \$6,000.00 offer.

This resolution shall become effective upon adoption.

ADOPTED this the 11th day of March, 2013.

ADDITIONAL FINANCE RELATED ITEMS

The County Manager advised the County purchases four vehicles each year from State Contract and the Finance Officer had received bank bids on them. He pointed out the Sheriff has an interest in purchasing early because sometimes what happens on State Contract is that the supply is limited and it is hard to make a good choice. Therefore, staff was asking to stick with the four vehicles per year and to approve the BB&T bid of 2.19% on the financing for four years (8 semi-annual payments in arrears beginning in September, 2013).

In a brief discussion, Sheriff Greene explained the reason they purchase Fords instead of Chevrolets is the difference in price (\$3-4,000 per vehicle). A question was raised as to whether this includes markings for the vehicles. Sheriff Greene advised a separate company outfits the vehicles with radios, cages, shotgun racks, etc., as well as the decals, but these are included in the price.

Commissioner Hollifield made a motion to take the Sheriff's recommendation and purchase four vehicles as presented. Commissioner Kaylor seconded the motion and by unanimous approval, the motion carried.

Commissioner Lavender made a motion, seconded by Commissioner McPeters, to approve the financing of the vehicles with the low bid with BB&T at 2.19% and the related *RESOLUTION APPROVING FINANCING TERMS*. By unanimous approval, the motion carried.

In other financing related items, Mr. Abernathy advised EMS Director William Kehler had recommended that the County donate a spare ambulance patient care box to McDowell Technical Community College for training. Since the Board of Commissioners has to approve the transfer of any County property, Mr. Abernathy asked that he Board approve the transfer of the property.

Commissioner McPeters made a motion, seconded by Commissioner Hollifield, to approve the transfer of County property (ambulance patient care box) as recommended. By unanimous approval, the motion carried.

Next, in reference to the County's water system, Mr. Abernathy advised there was a request for an adjustment of \$50.64 to Joyce Poplin, and there were seven (7) \$5.00 posting errors that staff had requested being adjusted.

Commissioner McPeters made a motion, seconded by Commissioner Kaylor, to approve the \$50.64 adjustment to Joyce Poplin and the seven (7) \$5.00 posting errors as requested. By unanimous approval, the motion carried.

OPENING OF BOARD OF EQUALIZATION AND REVIEW

Tax Assessor Keith Renfro came before the Board to present his proposed 2013 schedule for the Board of Equalization and Review (Board of E & R). He recommended opening the Board of E & R on Tuesday, April 2, 2013 at 5:00 p.m. and close on Tuesday, April 16, 2013 at 5:00 p.m. The opening meeting will be only for swearing in of the board members and electing the chairman and vice-chairman. During the two-week period, the Tax Office can take formal appeals to the Board of E & R. Other meetings can be scheduled if necessary.

In discussion, Commissioner Lavender said he would prefer moving forward to the 9th and 23rd of April.

DISCUSS DMV TRANSITION

The Tax Assessor addressed the upcoming transition in the DMV Office as a result of the State of North Carolina passing legislation that will transfer the function of collecting motor vehicle property taxes to DMV Tag Offices. Beginning with HB 1779 going before the General Assembly in May of 2005 and being passed in August that year, Mr. Renfro gave a general summary of how the legislation had evolved over the past seven or eight years. The new legislation is set to go into effect by July 2013. He explained the reason was that the motor vehicle collection rate was so low (state average about 87%) and they wanted to come up with a system that would increase the collection rate as near as possible to 100%.

Mr. Renfro said he and two members of his staff had been to several meetings on this topic over the past two years to try to get prepared for the transition. A brochure was prepared for distribution through billing and other means to help familiarize the public with the new system. He said not only will the new system increase the motor vehicle collection rate once the Tag Office starts collecting the taxes it will also free up the collection personnel to work more on delinquent taxes to bring the overall collection rate up.

Mr. Renfro advised funding for the new system will come from delinquent tax revenue and interest. He pointed out as of this date they had collected around \$35 million to do the new system—the new system is about \$20 million. There is about a \$15 million excess, part of which the County will eventually get back. He noted other positive aspects of the new system such as one computer system throughout the state, only one tax bill will be received, will renew tag and pay at the same time, will have standard value and mileage deduction, if no renewal is made, no property taxes are owed, and if a release is written, it will automatically go into the system for an adjustment to be made.

Chad Phillips, who currently handles listing of motor vehicles in the Tax Office, addressed the schedule for starting with the new system, the overlap time when both systems will be in use, etc. Discussion followed on how the system is working in other counties and whether there will be any technical support as we move forward. Mr.

Phillips advised they are offering regional support as the system is implemented over the state.

A general discussion followed.

Mr. Abernathy briefly addressed the benefits as far as costs, credit card use, collections increase, etc.

PRESENTATION BY SOIL CONSERVATION REGARDING STREAM RESTORATION GRANTS

Kara Cassells, District Conservationist with the U.S. Department of Agriculture, came before the Board for a presentation regarding the availability of grant funding for the stabilization of stream banks in McDowell County. The program has to be tied to recent storm damage.

Ms. Cassells explained the purpose of the Emergency Watershed Protection (EWP) program, what they can provide, who the project sponsor will be, what their expectations are, and how to request assistance. She pointed out the floods of January 2013 is their focal area and she proceeded to show pictures of the kinds of damage they think might be present as a result of those floods.

Ms. Cassells said she needed not only the County's help but also the community's help in identifying sites with damage, and requests for funding have to come from a project sponsor and they have to be submitted to the State office by April 1st. She stated the program is not actually a grant but they will be working under grant terms. As they work through the process, assistance will be provided by the Natural Resources Conservation Service (NRCS) office. NRCS will provide a 75% cost share and the sponsor does have to provide the 25% match, which can come from cash, in-kind resources, labor, or by provision of equipment. Other requirements were also noted.

Mr. Abernathy advised if the Board wanted to authorize submitting the grant pending staff's review and finding sites that are in need of this. Otherwise, the item could be placed back on the agenda in April and the Board could then vote to pull the grant if there are no requests for submission.

Discussion followed on in-kind services, which can come from either the County or the land owner.

Commissioner Lavender made a motion to submit a letter of intent and/or interest in becoming a sponsor for the stream bank restoration program. Commissioner McPeters seconded the motion, and by unanimous approval, the motion carried.

PRESENTATION BY CONTRACTED GRANT WRITER

Mark Goldstein, who was contracted by the County as a Grant Writer, came before the Board for a presentation of his successes for the past year. The agreement was that the County would contract for \$9,500 plus commission for successful grants and that the approach would be evaluated for the next year. He was to focus on housing, recreation, and the McDowell Mission.

Mr. Goldstein reported he had started out with five grant proposals and had helped with another one. Three of the four grants for which he had applied were awarded and there were two grants pending that he would continue to work on. One is to the NC Urgent Repairs Program for \$75,000 with the McDowell Housing Coalition as the grant applicant. The other one is to the Kate B. Reynolds Charitable Trust for \$150,000 with McDowell County Parks Department as the grant applicant. Mr. Goldstein said he felt confident about this grant. Two grants were applied for with the McDowell Mission Ministries as the applicant organization. The first one was to The Cannon Foundation in the amount of \$35,000 and the grant was awarded in the requested amount. The second grant was to Community Fund of WNC (Janirve SUN) in the amount of \$7,589 and the grant was awarded in that amount.

Two other grants were applied for with the McDowell Housing Coalition as the applicant organization. The first one was to Community Fund of WNC (Janirve Legacy Fund) in the amount of \$20,000. The grant was awarded in that amount. The second grant was to Lowe's Foundation in the amount of \$25,000, but this grant was denied.

The amount of requested grants totaled \$312,589; the amount of awarded grants totaled \$62,589. Mr. Goldstein said he would like to do this again for the coming year, noting that both he and Mr. Abernathy feel good about what has happened. He asked that the Board think about what they might apply for in the future and offered suggestions about this.

A general discussion followed.

Mr. Abernathy suggested receiving the budget, receive the items of interest and have them prioritized, see what is funded in the budget and what is not, with the understanding that they are evaluated, and direct that those be the areas of concentration.

DONATION OF McDOWELL HOUSE FURNITURE

Chairman Walker welcomed Terrell Finley, Museum Administrator at Mountain Gateway Museum, and Mrs. Margaret Adams, both of whom are involved in the McDowell House renovation and had come to discuss a donation of furniture to the McDowell House.

Mr. Finley advised that in November of 2012 he had received a call from a lady who lives in Burke County. She had received some antique furniture through her mother

and it had been her mother's request to pass this furniture on to the McDowell House in McDowell County because we have always competed with McDowell House in Burke County, Quaker Meadows. The furniture (7 or 8 pieces) is from the 18th Century. As part of the donation, the family is asking that it be stored in a county building with controlled environment for heat and air.

Mr. Abernathy advised a draft resolution had been prepared that would authorize acceptance of the furniture. He said if the Board was so inclined, he would ask that they approve the resolution, thereby complying with the family's requirements concerning storage of the furniture, with a report coming back as to what is done.

Discussion followed on a location that would be appropriate for storage of the furniture. Mrs. Adams stated she was here for Anne McDowell Conley and the furniture needs to be here in McDowell (Pleasant Gardens) and not at Quaker Meadows. She advised Mrs. Conley's children are not as interested in genealogy as their mother.

Commissioner Lavender made a motion to authorize the resolution to have an appraisal, comply with the family's request and to insure the items at the appraisal value. Commissioner Hollifield seconded the motion and by unanimous approval, the motion carried.

UPDATE ON WATER PROJECTS

The County Manager advised letters were sent regarding the water intake and reclassification. He, Ron Harmon, and Ashley Wooten had met with Burke County's Manager and Planner last week and their feedback was that the reclassification resolution should not pose a problem. The City is evaluating what the effects are and they have some concern, but he is not sure how this will bear out. He pointed out there are about four things happening in this process. First is the approval of three resolutions from the entities involved (McDowell County which has an approved resolution, Burke County and the City of Marion) because the area requiring regulation interests those jurisdictions. Second, we have to complete the environmental assessment, which is underway, and that will be submitted to the State. The State will hold a public hearing here in McDowell County and then the whole thing will be approved. Mr. Abernathy pointed out this will handle just the reclassification and we are not involved in anything else related to the project, which is an indication of how complicated and difficult the process is.

Regarding the property which the County has had under option for about three years, Mr. Abernathy pointed out the County could not process any of this until Duke Energy received their federal license first. This held the County up but now Duke has received their license. The option expires this October and we will have a decision that is just shy of a million dollars on the property and we want to be as far along as we can to have the assurance that the property and the access into the water will work. He said if we fall short of that, in his opinion, we would need to ask for an extension on the option again and should be thinking whether we will pay cash, finance, or what. He advised this

is a decision that needs to be made in the next three to four months and we need to be clear as to how this will be handled.

In discussion, Mr. Abernathy advised he was communicating this Board's intent is that nothing other than a WS-4 rating will be accepted. He pointed out he did not feel the Commissioners could withstand the stress and strain they would be under if a more restrictive version of this were attempted. He said the State will receive the engineer's document, will evaluate it and make a decision. He said he had communicated to them that if that decision is anything other than a WS-4, we will have a huge problem because if it is anything less the public will have quite a concern.

In discussion, Mr. Abernathy pointed out he thinks their inclination is to go with a higher level regulation.

In other water related items, Mr. Abernathy advised staff is trying to create water customers and that a letter was sent to residents along Lonesome Pine Drive. Eleven had expressed an interest and nine have signed saying they would agree to connect. However, he said he was not ready to recommend this extension yet. Mr. Abernathy asked that the Board grant staff the ability to use City workers to install the lines (about 1,000 feet), or he might say he needs to wait for a grant opportunity or another project. Also, staff is doing the same for an extension on Ned McGimsey and Jack Corpening roads and two side streets. As viewed from the map, there is a total house count of 65. A letter will be distributed to those residents over the next few weeks to see what interest they might have.

UPDATE ON UNIVERSAL PROJECT

The County Manger advised the architect is saying he will have construction documents for the 50,000 foot area ready to go to bid in April, and he was nebulous on April, because Mr. Abernathy is suspecting this slides things back a month. However, he pointed out we do now have \$365,329 in the Universal fund which does not include a March posting. He said if the new company's jobs can be obtained, there are building reuse grants and other things that we will be able to tap as well. He noted costs that are being incurred in taking out the boiler, there are asbestos involved, etc. and this needs to be handled before students move in.

Mr. Abernathy noted that a price had been provided to him to begin the process of tearing down and disposing of the boiler area. He advised the price is higher than he thought because of the relocation of utilities that would have to occur, but he was not ready to ask the Commissioners to act on this unless they felt compelled. Rather, he would like to look more thoroughly at how the cost might be taken down and would like to have the Maintenance Director come in and give a report.

UPDATE ON LGC GRANT SUBMISSION

For the record, Mr. Abernathy reported that the LGC application that the Board approved on February 28th was submitted on the 29th, and Finance Officer Alison Morgan has followed up with their staff. He said everything is in order and no action is necessary. Also, he said the application was a model and they want Alison to present this process to other counties.

SUGAR HILL ROAD WATERLINE BIDS

In review, Mr. Abernathy pointed out the Board of Commissioners and the City of Marion had previously entered into a joint agreement that allowed water and sewer to be extended to the Wal-Mart Shopping Center located on Sugar Hill Road. The project is complete. There were funds remaining in the project after the extension was completed and the grant agency agreed to allow the funds to be expended as long as it was tied to the original project. The Utility Committee wanted to run the line over to the Travel Plaza and the City would administer the project if the County would agree to approve the low bid. The City took bids on construction and Steppe Construction submitted a bid of \$194,890 which was below the estimate provided by the engineer. Mr. Abernathy said when the City sent this information over, they said the project is off and running. Additional costs for the project will include a contingency of \$20,800 and legal work, leaving funds of \$291,000 in the budget.

Commissioner Lavender made a motion to approve the low bid from Steppe Construction for the Travel Plaza extension. Commissioner Kaylor seconded the motion and by unanimous approval, the motion carried.

CLEAN WATER MANAGEMENT TRUST FUND RESOLUTION

The County Manager presented a Resolution of Support for the Clean Water Management Trust Fund, noting the City had a grant submitted with the agency that would extend sewer to the Travel Plaza. He noted this would obviously place it closer to the property that the County owns on Ashworth Road and the Interstate. They will ask for a 60-40 share on the grant.

Commissioner Lavender made a motion to approve the *RESOLUTION TO SUPPORT THE 2013-2015 FUNDING FOR CLEAN WATER MANAGEMENT TRUST FUND* as presented. Commissioner McPeters seconded the motion and by unanimous approval, the motion carried.

BOARD APPOINTMENTS

Chairman Walker noted the following board vacancies presented on first reading:

- Two for the Isothermal Planning and Development Commission's Board of Directors (terms of Chuck Abernathy and former Commissioner Dean Buff)

- One for the McDowell Tech Board of Trustees (to replace former Representative Mitch Gillespie who had taken a position with the State Department of Environment and Natural Resources)
- One for the District Health Board (to replace former Commissioner Josh Dobson who is now the State Representative)
- One for the Focal Point Advisory Committee (to represent the Board of Commissioners)

Commissioner Kaylor advised he would accept the Health Board and the Focal Point Advisory Committee.

Commissioner Lavender made a motion to waive the second reading and to appoint Commissioner Kaylor to the District Health Board and to the Focal Point Advisory Committee. Commissioner Hollifield seconded the motion and by unanimous approval, the motion carried.

Mr. Abernathy advised the Transportation Planning Board was requesting the appointment of a commissioner to that Board.

Discussion followed on the McDowell Tech Board appointment. The Clerk reported that one person had called expressing interest in serving on the McDowell Tech Board but she did not have an updated application from him.

TAX MATTERS

The usual monthly listing of tax releases and refunds were presented for the Board's approval. In summary, they were:

Releases Under \$100.00	Released amount of \$1,397.79
Releases Over \$100.00	Released amount of \$6,536.37
Motor Vehicle Releases/Under \$100.00	Released amount of \$1,015.24
Motor Vehicle Releases/Over \$100.00	Released amount of \$1,281.05
Release Refunds	Refunded amount of \$1,272.90

Commissioner McPeters made a motion to approve the tax releases and refunds as presented. Commissioner Hollifield seconded the motion and by unanimous approval, the motion carried.

RETIRING OFFICER HANDGUN AND BADGE RESOLUTION

The County Manager advised the N.C. General Statutes allow a county to "sell" a retiring law enforcement officer's handgun to him for \$1.00. This also includes the

officer's badge. The County has done this for many years. Officer Dan Shook is retiring and the Sheriff is recommending the action for him. A Resolution was introduced that would allow this action to occur.

Commissioner McPeters made a motion, seconded by Commissioner Hollifield, to adopt the resolution granting the officer's handgun and badge as requested. By unanimous approval the resolution was adopted as follows:

**RESOLUTION AUTHORIZING SALE OF COUNTY OWNED
PROPERTY**

WHEREAS, the County of McDowell owns certain items of personal property that has become surplus for its current needs; and

WHEREAS, North Carolina General Statute § 20-187.2 permits the County to donate the badge worn by a Law Enforcement Officer upon their retirement; and

WHEREAS, North Carolina General Statute § 20-187.2 permits the County to sell the service side arm to the retiring Law Enforcement Officer upon securing such permit as required by G.S. § 14-402 or without such permit the weapon has been rendered incapable of being fired.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of McDowell County that:

The Board of Commissioners authorizes the Sheriff to donate the badge and also authorizes the sale in the amount of \$1.00 of the following service side arms which has been declared surplus to Dan Shook.

Glock Model 31
Serial Number SEH781

This resolution shall become effective upon adoption.

ADOPTED this the 11th day of March, 2013.

SET PUBLIC HEARING FOR SECONDARY ROADS

The County Manager asked, if the Board was so inclined, to adjourn to 3:30 p.m. on Monday, April 8, 2013, to hold the Public Hearing on the paving of Secondary Roads with the Department of Transportation. He advised they basically come and make a presentation to the Board on the paving schedule for the next year. He pointed out this is how the Board has handled the public hearing and its regular session for a number of years.

By consensus, the Board agreed to set the Public Hearing on Secondary Roads for Monday, April 8, 2013, at 3:30 p.m. and will adjourn today's meeting accordingly.

CITIZEN COMMENT

No one had signed up to speak.

REPORTS AND COMMUNICATIONS

The County Manager reminded the Board of the meeting with the Fire Commission scheduled for Thursday, March 21st, in the evening (time and location not yet decided).

ADJOURNMENT

There being no further business to transact at this time, Commissioner Kaylor made a motion to adjourn to 3:30 p.m. on Monday, April 8, 2013 for the public hearing on Secondary Roads with the Department of Transportation. Commissioner McPeters seconded the motion and by unanimous vote the motion carried.

DAVID N. WALKER, CHAIRMAN

CARRIE PADGETT
CLERK TO THE BOARD