

**STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL COUNTY
BOARD OF COMMISSIONERS
REGULAR SESSION – SEPTEMBER 12, 2016**

Assembly

The McDowell County Board of Commissioners met in regular session on Monday, September 12, 2016, at 5:00 p.m., in the Commissioner’s Board Room of the County Administration Building, 60 East Court Street, Marion, North Carolina.

Members Present

Barry McPeters, Vice-Chairman; Van “Randy” Hollifield; and Matthew Crawford.

Members Absent

David Walker, Chair; Tony Brown

Others Present

Ashley Wooten, County Manager; Cheryl Mitchell, Clerk to the Board; and, Theresa Strickland, Public Information Technician (Filming).

Call to Order

Vice Chair McPeters called the meeting to order. The invocation was given by Commissioner Crawford, followed by the pledge of allegiance, led by Commissioner Hollifield.

Approval of Minutes

Commissioner Hollifield made a motion to approve the August 8, 2016 minutes as presented, second by Commissioner Crawford. By unanimous vote, the motion carried.

Approval of Agenda

Vice Chair McPeters called for any additions or deletions to the agenda. There were none.

Commissioner Crawford made a motion to approve agenda as presented, second by Commissioner Hollifield. By unanimous vote, the motion carried.

Recognition of Fishers of Men SS Class

Mr. Wooten recognized the John Roach Fishers of Men Sunday School Class from Pleasant Gardens Baptist Church. Mr. Joe McMinn spoke on the many project ministries the class had done, including building ramps, cutting, splitting, and delivering wood, and various needs. He added the group averaged building 45 ramps a year.

The commissioners voiced their appreciation to the group for the ministry they provided.

Vice Chair McPeters presented a Certificate of Appreciation to the class.

Short recess was declared for pictures.

Administrative Items

Fee Waiver:

Mr. Wooten presented a fee waiver for a leak from a homeowner on the Nebo Water System in the amount of \$148.62. The owner had submitted prove the leak had been repaired.

Mr. Wooten then presented an occupancy tax penalty waiver in the amount of \$240.00. The owner requested the waiver due to a death in the family which had occurred out of state.

Mr. Wooten presented an EMS fee waiver in the amount of \$348.68. The waiver was due to a patient being transported from physician's office to McDowell Hospital, the original request was from physician's office to Mission Hospital in Asheville. Mr. Kehler explained steps had been taken to prevent this type of miscommunication again.

Commissioner Crawford made a motion to waive the water bill, late penalty on occupancy tax, and EMS bill, second by Commissioner Hollifield. By unanimous vote, the motion carried.

City Requests:

Mr. Wooten presented a request from the City of Marion for an electric easement on the courthouse lawn. The easement would allow a power source next to the sidewalk.

Commissioner Hollifield made a motion to grant the easement, second by Commissioner Crawford. By unanimous vote, the motion carried.

Mr. Wooten then presented a tipping fee waiver from the City of Marion. The city had acquired property near the Morehead Cemetery, and needed to demolish an abandoned mobile home in order to create a parking lot for the cemetery. Request was for estimated tipping fee of \$1500, based on about 15 tons of debris.

Commissioner Hollifield made a motion to waive tipping fee for the mobile home that will be dismantled, second by Commissioner Crawford. By unanimous vote, the motion carried.

EMS Policy:

Vice-Chair McPeters recognized Mr. William Kehler, Director of Emergency Services, who presented a new policy in regards to eye safety. The directive stated personal protection equipment would include gloves and eye protection.

Commissioner Crawford made a motion to approve EMS personal protective equipment policy, second by Commissioner Hollifield. By unanimous vote, the motion carried.

911 Center Update

Mr. Kehler presented a proposed contract to lease equipment from Frontier for the 911 Backup Center. The contract would sync with the existing contract at the primary center. Mr. Kehler explained the contract had been sent to the NC 911 Board for review and approval. He requested board approval contingent upon final approval from the NC 911 Board for use of 911 funds. The three year lease amount was \$219,920 payable over 10 quarterly months.

Commissioner Crawford made a motion to approve contract with Frontier for 911 backup operations contingent upon approval of 911 Board for use of 911 funds, second by Commissioner Hollifield. By unanimous vote the motion carried.

Mr. Kehler also reported on a grant that had been submitted for the 911 Backup Center in the amount of \$194,000. He stated there had been a request for additional information and should hear if the grant had been awarded in the next month.

Mr. Kehler reported on the recent inspection from the Department of Insurance. Each fire department in the county, as well as the Communication Center, was inspected and assigned a rating that homeowners insurance rate is based on. He noted the last rating the Center received was a 7.5 in 2015. He stated due to the additional equipment, towers, and inspections at the Glenwood and Nebo Fire Departments, and training improvements, the Center had received a 9.1 rating.

Mr. Wooten advised he would get an update on the progress made from each fire department and their rating codes and would present to the Board at the next meeting.

Commissioners expressed their appreciation to Mr. Kehler and Mr. Craig Walker and the work of the Emergency Management department in order to get the great rating.

Water Projects Update

Mr. Wooten stated he and Mr. Ron Harmon had attended a meeting with the Environmental Management Commission in Raleigh. The meeting was in regards to reclassification of drinking water source, specifically Lake James. The Commission gave permission to move forward with the reclassification, and will schedule a public hearing in coming months for input from the public.

Mr. Wooten noted the Nebo interchange water project construction had begun, and there would be an official groundbreaking ceremony on September 22nd.

He added the Universal project is under contract and would start construction by the end of September.

Board Appointments

Ms. Mitchell presented the following committee vacancies:

- Focal Point Advisory Committee—second reading one application from David Setzer.
- Library Board of Trustees – first reading openings in the Nebo, Old Fort and At Large districts.

- Nursing/Adult Care Committee –no applications- continue to advertise

Commissioner Crawford made a motion to approve David Setzer to the Focal Point Advisory Committee, second by Commissioner Hollifield. By unanimous vote, the motion carried.

CDBG Public Hearing Closeout

Vice Chair McPeters declared the Board in public hearing to review the budget and activities that had been accomplished through the CDBG Building Reuse Program.

Mr. Wooten gave a report on the \$750,000 CDGB grant for the now West Rock Corp., which was formerly Rock Tenn Corp. The monies were used primarily for a new HVAC system. He reported the company had hired 96 low to moderate income employees, and more than the required 124 additional employees.

Vice Chair asked for comments from the public. Ms. Johnson stated she thought it was wonderful the company had hired over 125 employees.

Commissioner Crawford made a motion to close the public hearing. Commissioner Hollifield seconded the motion, and the vote was unanimous.

NCACC Legislative Goal Setting

Mr. Wooten noted the NC Association of County Commissioners had asked counties to submit legislative goals for the upcoming legislative session in January. Two issues that had been suggested from board members were restoring local decision authority on the school schedule, and the state transportation funding formula.

Vice Chair McPeters asked the Commissioners if they had any other issues to send them to the County Manager.

Glenwood Christmas Parade Road Closure

Mr. Wooten advised the Glenwood Ruritan Club had hosted a Christmas parade on US 221S on the Saturday after Thanksgiving for several years. Due to recent requirements from NCDOT the county is required to adopt an ordinance for road closure on the specific date, November 26, 2016.

Commissioner Crawford made a motion to approve *An Ordinance Declaring a Road Closure for the 2016 Glenwood Christmas Parade*, second by Commissioner Hollifield. By unanimous vote, the motion carried.

Economic Development Public Hearing

Vice Chair McPeters declared the Board in public hearing for the purpose of receiving public comment concerning economic development incentives for a potential new industry location as authorized under NCGS 158-7.1.

Mr. Wooten stated there was a metal working company that was interested in starting a business creating 36 new jobs at wages exceeding the average manufacturing wage for McDowell County. The proposed local incentive was valued at \$108,000 over a two year period.

Vice Chair McPeters asked for comments from the public. Comments were favorable on the new jobs, and utilizing the location.

Commissioner Crawford made a motion to close the public hearing. Commissioner Hollifield seconded the motion and the vote was unanimous.

Commissioner Crawford made a motion to approve the incentive in the amount of \$108,000, second by Commissioner Hollifield. By unanimous vote, the motion carried.

Tax Matters

Mr. Wooten presented a list of applicants who qualify for Elderly Exemption who were asking for exemption with reason, and other exemption request:

Jessie Elliott	Carroll Eckard
Sandra Coomes	William Thomsen
Jerry Hurst, Jr.	Myra Clark
Nora Reynolds	

McDowell County Baptist Camp Meeting request for religious exemption

Hospice and Palliative Care of the Blue Ridge, INC request for charitable exemption

Gateway Mountain omitted one parcel in their previously filed exemption paperwork

Bear Cliff Owners Association, INC request for their late application to be accepted since they were not made aware of the exemption removal after taking control of the property.

Mr. Wooten also presented a request from Ms. Linda Onufrey, Tax Collector to charge off uncollected taxes for the 2005 tax year in the amount of \$125,815.76 as of August 31, 2016. The amount was not included in the accounts receivable annual audit report because by stature the funds were not collectible.

Releases, Refunds, & Write-offs	
MV tax refunds	\$ 1,725.76
Releases under \$100	\$ 1,900.86
Releases over \$100	\$ 23,615.49
Refunds	\$ 364.74
Discoveries	\$ 4,399.15

Commissioner Hollifield made a motion to approve all tax matters as presented, second by Commissioner Crawford. By unanimous vote, the motion carried.

Sidearm/Badge Donation

Mr. Wooten presented a request from Sheriff Greene for Capt. Brenda Vaughn and Capt. Ricky Crisp to receive their badges by means of donation upon their retirement. The request was also to allow Capt. Crisp to purchase his duty weapon for \$1.

Commissioner Crawford made a motion to approve *Resolution Authorizing Donation of County Owned Property* for Brenda; and approve *Resolution Authorizing Sale of County Owned Property being the side arm for Mr. Crisp* and also donation of his badge, second by Commissioner Hollifield. By unanimous vote, the motion carried.

Reports and Communications

Mr. Wooten stated the Historic Carson House Board of Directors had invited the commissioners to hold their October meeting at the Carson House. The meeting would begin at 4:00pm.

Economic Development Public Hearing

Vice Chair McPeters declared the Board in public hearing for the purpose of receiving public comment concerning economic development incentives for an existing industry expansion as authorized under NCGS 158-7.1.

Mr. Wooten reported an existing woodworking industry was looking to hire 14 employees at wages higher than the average manufacturing wage for McDowell County. He stated the proposed incentive was \$42,000 over a three year period.

Vice Chair McPeters asked for public input, there was none.

Discussion was held by the commissioners in regards to the high number of good paying manufacturing jobs available in the county.

Commissioner Crawford made a motion to close the public hearing. Commissioner Hollifield seconded the motion and the vote was unanimous.

Commissioner Crawford made a motion to approve second incentive to create 14 jobs for \$42,000 over a three year period, second by Commissioner Hollifield. By unanimous vote, the motion carried.

Ordinance Discussion

Mr. Wooten noted several commissioners had expressed interest in re-examining the lake protection ordinance due to issues raised by the development approved on the north side of the lake.

After discussion, consensus was to ask the Planning Board to review the existing ordinance. Mr. Wooten stated staff would receive comments and questions from the commissioners, and compile the list to give to the Planning Board.

Mr. Wooten noted he would ask the Planning Board for recommendations by the October meeting if possible.

Mr. Wooten stated the Nebo waterline groundbreaking would be September 22, at 3pm at the US Forest Service building.

Citizen Comment

Mr. George Johnson spoke on behalf of the Lake James Environmental Association against the proposed development at Lake James, called the Peninsula. He suggested adopting Article 12 of Burke County's Lake James Ordinance.

Ms. Ann Costello spoke against the current county lake ordinance. She showed a map of the proposed Peninsula development which is on steep terrain, and too small of divided acreage. She stressed the divided lots were not buildable.

Ms. Suzy Johnson spoke against the current county lake ordinance that was created in 2003. She noted the ordinance was not sufficient for the development of the Peninsula. She suggested adopting Burke County Lake James Ordinance, or Catawba Riverkeeper recommended protections at the October board meeting. She asked the commissioners to be proactive in protecting the lake.

Mr. Paul Braun spoke on the water quality of the lake. He asked the commissioners to review the current lake ordinance and make sure the ordinance would protect the land around the lake, and the water quality of the lake.

Mr. George Costello spoke on behalf of Susie Hamrick Jones, with the Foothills Conservancy, in regards to strengthening the current lake ordinance. Mr. Costello read comments from Jim Strife who had reviewed the engineer plat. He noted the measurements were not in agreement with the developers measurements. He asked for the Board to define term lot width in the current ordinance.

Ms. Liz White spoke on behalf of Sam Perkins, Catawba Riverkeeper. She also spoke on behalf of James Strife who did an analysis of the steepness of the lots of the proposed development called the Peninsula. His opinion was adjustments based on slope analysis and natural drainage patterns needed to be made to Phase 1 before any sales events. A slope analysis was presented.

Commissioner Hollifield asked for information from the Burke county ordinance, and any information the public had presented be shared with the commissioners.

Adjournment

There being no further business to transact at this time, upon motion by Commissioner Crawford, second by Commissioner Hollifield, the meeting was adjourned to the Cooperative Extension office for dinner and Report to the People.

CHERYL L. MITCHELL
CLERK TO THE BOARD

BARRY McPETERS
VICE-CHAIRMAN