

**STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL COUNTY
BOARD OF COMMISSIONERS
REGULAR SESSION – JANUARY 11, 2021**

Assembly

The McDowell County Board of Commissioners met in Regular Session on Monday, January 11, 2021, at 5:00 p.m., at the Universal Conference Room, 634 College Drive, Marion, North Carolina.

Members Present

Tony Brown, Chair; David N. Walker, Vice-Chair; Brenda Vaughn; Chris Allison; Patrick Ellis

Members Absent

None

Others Present

Ashley Wooten, County Manager; Cheryl Mitchell, Clerk to the Board

Call to Order

Chair Brown called the meeting to order. The invocation was given by Commissioner Ellis, followed by the pledge of allegiance, led by Commissioner Vaughn.

Approval of Minutes

Vice Chairman Walker made a motion, second by Commissioner Vaughn, to approve the December 7, 2020 Regular Session, and December 21, 2020 Regular Session minutes as presented. By a vote of 5-0, the motion carried.

Approval of Agenda

Commissioner Ellis made a motion, second by Commissioner Allison to approve the agenda. By a vote of 5-0, the motion carried.

Recognition of Former Commissioners

The Board recognized outgoing Commissioners Lynn Greene and Barry McPeters. Each Board member expressed their appreciation for the service and commitment to the county each Commissioner had given.

Mr. McPeters expressed his thankfulness to his Lord and Savior for allowing him to serve this county. Also, thankful to his family for being understanding of the time away for meetings.

Mr. Greene noted it was an honor and a privilege to serve with this Board. He added he had served 19 years with the Sheriff's Office, and volunteered 16 years with McDowell High NJROTC. He asked the Board to revisit the property tax rate, keep the manger scene on the Courthouse lawn during the Christmas season, not spend tax payer money to promote alcohol in the county, and call on him any time the Board needs him.

Chairman Brown assured Mr. Greene the Board would work hard to maintain those requests.

Vice Chairman Walker read a resolution for each Commissioner.

**Resolution of Appreciation for Former
County Commissioner Lynn Greene**

WHEREAS, Lynn Greene was elected to the Board of Commissioners for terms extending from 2016 to 2020; and

WHEREAS, numerous investments were made in education during Mr. Greene's service as a Commissioner. A new Old Fort Elementary was constructed and opened during Mr. Greene's term. The Board of Commissioners also worked diligently to increase teacher salary supplements in order to attract and retain the best teachers; and

WHEREAS, recreational opportunities increased during the tenure of Mr. Greene. Mr. Greene advocated strongly for the development of both the public shooting range and the Black Bear park. The county also made improvements to all of the parks, developed multiple trails, and received numerous recreation grants; and

WHEREAS, the Board of Commissioners invested heavily in developing quality public facilities during Mr. Greene's term. The Emergency Services headquarters as well as Station 4 were initiated. The Courthouse renovation was also initiated during his time. Additional facility enhancements were made in order to provide improved services to the public; and

WHEREAS, Lynn Greene was always a supporter of good local government. He always supported the needs of the McDowell County community. His contributions extend beyond being a County Commissioner and include his membership in church and being a loving husband and father.

Attest:

Cheryl L. Mitchell
Clerk to the Board

Tony G. Brown
Chairman

Commissioner Ellis made a motion to approve *Resolution of Appreciation for Former Commissioner Lynn Greene*, second by Commissioner Allison. By a vote of 5-0 the motion passed.

**Resolution of Appreciation for Former
Commissioner Barry McPeters**

WHEREAS, Barry McPeters was elected to the Board of Commissioners for terms extending from 2004 to 2020, serving as Vice Chairman for the years 2008-2013 and 2014-2018; and

WHEREAS, numerous investments were made in education during Mr. McPeters' service as a Commissioner. During his tenure the schools realigned to a middle school model resulting in additions to the high school. In addition, a new Old Fort Elementary was constructed. The Board of Commissioners also worked diligently to increase teacher salary supplements in order to attract and retain the best teachers; and

WHEREAS, Mr. McPeters was the deciding vote to purchase the former Universal furniture factory and the surrounding acreage. The facility has provided space to McDowell Technical Community College, local employers, and McDowell County Emergency Services. Also, the property provides additional opportunities for residential, educational, and business development; and

WHEREAS, Mr. McPeters was always a strong supporter of emergency services. During his tenure the Nebo EMS Station was constructed and the Emergency Services headquarters as well as Station 4 were initiated. In addition, McDowell County established a consolidated 911 dispatching system during his time on the Board; and

WHEREAS, Mr. McPeters advocated for expansion of the county's Nebo Water System. The county built over 20 miles of water lines, reclassified Lake James as a future drinking water source, and purchased a future water treatment plant site during his time on the Board; and

WHEREAS, recreational opportunities increased during the tenure of Mr. McPeters. The county made improvements to all of the parks, developed multiple trails, and received numerous recreation grants; and

WHEREAS, the Board of Commissioners invested heavily in developing quality public facilities. The Old Fort Senior Center was completed during his tenure. The Law Enforcement Center and the Courthouse were both renovated. Additional facility enhancements were made in order to provide improved services to the public; and

WHEREAS, Barry McPeters was always a supporter of good local government. He always supported the needs of the McDowell County community. His contributions extend beyond being a County Commissioner and include his membership in church and supporting youth sports and being a loving husband and father.

Attest:

Cheryl L. Mitchell
Clerk to the Board

Tony G. Brown
Chairman

Commissioner Ellis made a motion to approve *Resolution of Appreciation for Former Commissioner Barry McPeters*, second by Commissioner Allison. By a vote of 5-0 the motion passed.

COVID-19/Vaccine Update

Mr. William Kehler gave the following update:

- Day 302 at the EOC under Level 1 Activation
- 33,604 tests conducted; 3,645 positives; 138 positives today; 49 deaths
- 14-day positivity rate is 26%
- 65 years old and older are driving the hospitalization rate
- 300 individuals are being tested within a two-hour period at each testing site
- EMS and 911 staffing are stable at this time
- 12 positive COVID patients at Mission Hospital-McDowell on this date
- 1,711 have called from the 75 and over age group to get an appointment for the vaccine
- Vaccine supply is limited----receiving hundreds weekly----need thousands weekly
- The second shot will be received 28 days later
- USFS helping with registration; law enforcement providing traffic control, as well as faith-based volunteers; and Community Forums providing assistance
- Deputy Director Jones and staff organized the vaccine plan which involves 30 personnel and multiple county departments
- Week of January 25th emergency personnel will receive their second shot
- The State has allowed any NC citizen to go to any county and get their vaccine

Commissioner Ellis stated all county employees need to set an example by making sure they are following the CDC 3 W's guidelines of wearing masks, wash your hands, and wait 6 feet apart.

He strongly suggested the Board consider if the positivity numbers continue to climb over the next two weeks, fining businesses that are not adhering to the CDC guidelines if masks are not being worn.

Mr. Wooten noted there is a mask policy in effect for county employees.

Friends of Fonta Flora State Trail (F3ST) Update

Mr. Bob Hunter gave an update on the Fonta Flora State Trail from Morganton to Asheville. Request was made for \$20,000 from McDowell County to fund a part-time F3ST Executive Director. Request was also made to other municipalities for funding for a total of \$142,000. A copy of the presentation is with the agenda materials.

Vice Chairman Walker made a motion to invest \$20,000 in this position, second by Commissioner Ellis. By a vote of 5-0 the motion passed.

Public Shooting Range Update

Mr. Wooten noted the Wildlife would like a formal name for the facility and recommended something geographical in nature.

Vice Chairman Walker made a motion to name the facility McDowell County Public Shooting Range, second by Commissioner Vaughn. By a vote of 5-0 the motion passed.

Emergency Services Building Update

Station 4 is close to being open, and the headquarters is still on schedule for a late 2021/2022 completion.

Universal Park Disc Golf Proposal

Mr. Wooten noted this item was discussed at last month's meeting, and per request staff had looked into insurance liability. He reported disc golf falls under the same liability coverage as other recreational activities. Advisory signage and rules must be posted as to what is permissible and what is not. The addition of 15-disc golf targets would make the course a complete 18-hole course.

Vice Chairman Walker made a motion to receive the donated equipment, and have it placed. If it ever ceases to be used for a disc range it would revert back to those who donated it, second by Commissioner Allison. By a vote of 5-0 the motion passed.

County Boundary Survey Request

Mr. Wooten noted there were some questions as to where most of the actual McDowell-Burke boundary is on the tax maps. A line between the Lake James area heading south towards Dysartsville and the line in the north had never been surveyed. Staff requested approval of a resolution requesting the surveying of the unmapped Burke-McDowell line. The NC Geodetic Survey can survey the lines and settle any issues between neighboring counties.

While discussing the Burke-McDowell line, the NCGS staff noted they had been working on mapping the McDowell-Mitchell boundary. This process, which was initiated in 2012 is almost complete.

A Resolution Authorizing County Line Surveying

WHEREAS, the North Carolina Geodetic Survey has been designated and funded by the North Carolina General Assembly to assist with the re-survey of ambiguous or uncertain county boundaries; and

WHEREAS, the work can be completed at the invitation of the counties involved at no cost to the county government; and

WHEREAS, in order to initiate the process, the county should identify the county's ambiguous boundary and must appoint a "Special Commissioner of Boundaries."

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

1. The Board deems that the McDowell County boundary common with Burke County is uncertain.
2. The Board hereby appoints Tammy Wylie, McDowell County Assessor as McDowell County's Special Commissioner on Boundaries.
3. The Board of Commissioners request that McDowell County's line be surveyed by the North Carolina Geodetic Survey, County Boundary Surveyor.
4. It is understood that the Board of Commissioners has to formally take further action to amend the County Line.
5. This Resolution shall be in full effect upon its adoption this the 11th day of January, 2021.

Attest:

Cheryl L. Mitchell
Clerk to the Board

Tony G. Brown
Chairman

Vice Chairman Walker made a motion to approve the resolution, second by Commissioner Vaughn. By a vote of 5-0 the motion passed.

Mr. Wooten noted Burke, Avery, and Mitchell County must all approve before the survey can be done.

Review Officer Resolution

Due to staff changes at the City of Marion they requested an updated list of approved Review Officers. The individuals listed have the ability to sign off on plats to be recorded in the Register of Deeds office.

RESOLUTION ESTABLISHING A REVIEW OFFICER FOR MAP LAW CHANGES

WHEREAS, the McDowell County Board of Commissioners on December 5, 2016 appointed per NCGS 47-30.2 review officers to review each plat before recording in the Register of Deeds; and

WHEREAS, the McDowell County Board of Commissioners had on said date appointed various employees to serve as review officers; and

WHEREAS, the McDowell County Board of Commissioners wishes to revise the lists of persons authorized as review officers to include Tammy Wylie, Art Uphold, Maranda Fender, Blair Melton, Lisa Sparks, Heather Cotton, and Spencer Crawford; and

WHEREAS, Ms. Cotton and Mr. Crawford will only review plats involving property under the purview of the City of Marion.

NOW, THEREFORE, BE IT RESOLVED that the McDowell County Board of Commissioners under the authority of NCGS 47-30.2 hereby establishes review officers for McDowell County as designated above.

ADOPTED this 11th day of January, 2021

Attest:

Cheryl L. Mitchell, Clerk to the Board

Tony G. Brown, Chairman

Commissioner Ellis made a motion to approve the resolution, second by Vice Chairman Walker. By a vote of 5-0 the motion passed.

Administrative Items

Mr. Wooten presented EMS non-collectible write-offs totaling \$27,077.78 for consideration.

Commissioner Allison made a motion to approve the write-offs, second by Commissioner Vaughn. By a vote of 5-0 the motion passed.

Budget Amendments

- GF – 18 Transfer between line items and allocates grant revenues in Emergency Services
- GF – 19 Transfer between line items and allocates grant revenues in the Library budget
- GF – 20 Transfers between line items due to loss of inmate labor and container repairs in the Public Services budget
- GF – 21 Appropriate license and excise tax revenue in the Register of Deeds office
- GF – 22 Appropriate Sheriff's Office designated revenue
- GF – 23 Appropriates state funds and local required match for the Juvenile Crime Prevention
- GF – 24 Appropriates grant funds for the Teen Court program
- GF – 25 Appropriates anticipated occupancy tax revenue in the TDA budget
- GF – 26 Appropriate revenues and transfers between line items in the Social Services budget
- SP4 - Amends various School Projects Funds
- UENT1 - Appropriates insurance revenue to cover sinkhole repairs at Universal

Commissioner Allison made a motion to approve all budget amendments as presented, second by Commissioner Vaughn. By a vote of 5-0 the motion passed.

Tax Matters

Releases and Refunds

MV tax refunds	\$ 992.77
Release over \$100	\$ 532.53
Discoveries	\$ 1,355.99
Write-offs	\$ 93.12

Vice Chairman Walker made a motion to approve all tax matters, second by Commissioner Ellis. By unanimous vote of 5-0, the motion carried.

Public Comment

Chairman Brown opened the floor for public comments at 6:43pm.

There were no comments.

Public comment ended at 6:43pm.

Closed Session

Vice Chairman Walker made a motion to go into Closed Session pursuant to NCGS 143-318.11 (a) (3) at 6:44pm, second by Commissioner Ellis in order to consider and give instructions to an attorney concerning the handling or settlement of a claim for the Whitnel Properties. By a vote of 5-0 the motion passed.

Commissioner Ellis made a motion to go out of Closed Session at 6:54pm, second by Vice Chairman Walker. By a vote of 5-0 the motion passed.

No action was taken.

REPORTS AND COMMUNICATIONS

Mr. Wooten reported the Annual Martin Luther King Holiday would be Monday, January 18, 2021 therefore the Board would meet on Monday, January 25, 2021 due to county offices being closed.

Commissioner Ellis reported there were grants available to help improve internet availability for the county, and he would like to look at sales tax figures, and if possible to get \$250,000 in an earmarked fund in next year's budget for internet.

ADJOURNMENT

There being no further business to transact at this time, upon motion by Commissioner Allison, second by Commissioner Vaughn, the meeting was adjourned at 6:57pm.

Cheryl L. Mitchell
Clerk to the Board

Tony G. Brown
Chairman