

**STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL COUNTY
BOARD OF COMMISSIONERS
REGULAR SESSION –SEPTEMBER 13, 2021**

Assembly

The McDowell County Board of Commissioners met in Regular Session on Monday, September 13, 2021, at 5:00p.m., at the Universal Conference Room.

Members Present

Tony Brown, Chairman; 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

Chairman Brown called the meeting to order at 5:00p.m. The invocation was given by Commissioner Ellis. The pledge of allegiance was given by Commissioner Vaughn.

Approval of Minutes

Commissioner Walker made a motion to approve the August 9, 2021 Regular Session minutes, August 16, 2021 Regular Session minutes, August 30, 2021 Special Session minutes, and August 9, 2021 Closed Session minutes; second by Commissioner Ellis. By a vote of 5-0 the motion passed.

Approval of Agenda

Vice Chairman Walker made a motion to add American Rescue Plan Act item to the agenda, second by Commissioner Ellis. By a vote of 5-0 the motion passed.

Commissioner Vaughn made a motion to add Resolution Declaring September, 2021 as "Preparedness Month" in McDowell County, second by Vice Chairman Walker. By a vote of 5-0 the motion passed.

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

Chairman Brown announced both items would be added under New Business item F. American Rescue Plan discussion, and item G. Resolution request

COVID-19 Update

Mr. William Kehler gave the following update:

- Day 546 of the EOC activation
- 139 positives over the weekend, 2 additional deaths for a total of 97 deaths
- 14-day positivity rate is 28.4%
- 48% have received at least one vaccination; 42% are fully vaccinated
- Last two weeks have had over 400 positives each week
- Health care resources are seeing the worst strain on the system than the last 25 years
- 5 days last week hospital was on diversion
- Rutherford Hosp has been on diversion for weeks
- No ambulances were available three times today
- The vast majority of the calls are from the unvaccinated
- Pneumonia and flu are prevalent in the winter and there will be a hard strain on Emergency Services
- A virtual hospital has been set up through Atrium; each patient receives oximeter and daily telehealth calls to check on their condition; and receive home oxygen if needed
- 17 FEMA applications have been filed for COVID-19
- Need public's help by getting vaccinated

Transit Update

Mr. Jason Hollifield, Transit Director, reported three vans are receiving their final preparation and should be delivered by the end of the week. Also, three new drivers will finish their training this week. Four additional vans have been ordered, and they should be available in six months. Mr. Hollifield reported there were 1,655 trips for the month of August.

Mr. Hollifield presented the Title VI Nondiscrimination Plan, and Public Transportation Program FY2023 Resolution for approval.

PUBLIC TRANSPORTATION PROGRAM RESOLUTION

FY 2023 RESOLUTION

Section 5311 (including ADTAP), 5310, 5339, 5307 and applicable State funding, or combination thereof.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural, small urban, and urban public transportation services consistent with the policy requirements of each funding source for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other

requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and

WHEREAS, the funds applied for may be Administrative, Operating, Planning, or Capital funds and will have different percentages of federal, state, and local funds.

WHEREAS, non-Community Transportation applicants may apply for funding for “purchase-of-service” projects under the Capital budget Section 5310 program.

WHEREAS, McDowell County hereby assures and certifies that it will provide the required local matching funds; that its staff has the technical capacity to implement and manage the project(s), prepare required reports, obtain required training, attend meetings and conferences; and agrees to comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements related to the applications made to and grants received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

WHEREAS, the applicant has or will provide all annual certifications and assurances to the State of North Carolina required for the project;

NOW, THEREFORE, be it resolved that the County Manager, Ashley Wooten of McDowell County is hereby authorized to submit grant application(s) for federal and state funding in response to NCDOT’s calls for projects, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural, small urban, and urban public transportation services.

Attest:

Cheryl L. Mitchell, Clerk to the Board

Tony G. Brown, Chairman

Vice Chairman Walker made a motion to approve the plan and resolution as presented, second by Commissioner Allison. By a vote of 5-0 the motion passed.

Chairman Brown declared the Board in public hearing setting at 5:26pm.

Mr. Hollifield presented the FY 2023 funding request. The request was for:

	<u>Total Amount</u>	<u>Local Share</u>
Administrative	\$174,904	\$34,980 (20%)
Combined Capitol	\$104,063	\$20,812 (20%)
Total Funding Request	\$278,967	\$55,792

In the event State funding was not available, the total local share amount would be funded by the County.

There were no comments from the public.

Commissioner Ellis made a motion to go out of public hearing setting at 5:29pm, second by Vice Chairman Walker. By a vote of 5-0 the motion passed.

Commissioner Ellis made a motion to approve the funding request of \$55,792 as presented, second by Vice Chairman Walker. By a vote of 5-0 the motion passed.

Land Use Plan Overview

Ms. Karyl Fuller, Foothills Regional Commission (FRC) Community and Economic Development Director, gave an overview of the new NCGS 160D Ordinance requirement. Every county in NC must update their Land Use Plan by July 1, 2022. The FRC is using the process adapted from the School of Government process called PlanNC. A copy of the plan is with the agenda materials.

They are currently developing a survey to go out in October, and will come back to the Board of Commissioners in December or January with the survey results.

Senior Center Update

Weyland Prebor, Senior Center Director, gave an update on activities and programs available at both locations of the Senior Center.

- Home delivered meals program has had a volunteer shortage since the beginning of the pandemic. It takes one hour a day to deliver a lunch meal to a shut-in. Last year 28,890 meals were delivered through this program.
- In-home aid service is another program, and the cost average \$80-\$90,000 a year for 40 individuals
- Veteran services have had 1800 client interactions this past year
- Medicare assistance on helping people look at insurance plans with hospital and prescription drugs
- Classes and activities are still ongoing which helps with socialization
- Legal aid and hearing services are also offered
- Gateway Wellness Foundation assist low income, disabled and elderly people with home repairs and ramps. They work in connection with local churches.
- Community Action Opportunities offers weatherization services to income eligible households, with priority to elderly and disabled individuals as well as to people with young children in their homes.
- AARP Tax Services helped over 700 seniors with their tax returns for free

Mr. Prebor encouraged everyone to please keep our seniors safe by wearing a mask and social distancing.

The target audience of the Senior Center programs is 60 years old and above, but all programs are open to all adults of any age.

Optimum Broadband Update

Brad Ayers, Suddenlink Senior Director for Government Affairs, and Bob Lily, Regional Vice President, gave an update on the recent acquisition of Morris Broadband. Suddenlink was acquired by the company Altice USA, and in April, 2021 Altice USA acquired Morris Broadband.

Through the NC GREAT grant program, the fiber and fiber nodes are up and spliced, as is the cable. Unfortunately, materials needed for activation and power supplies have been very slow arriving.

Two more power supplies should be finished and able to go live by October 15th for everyone to go on Optimum from Morris Broadband.

The Board invited the presenters to come back to give actual numbers and a map of where the service area will expand.

Salary Study Proposals

Mr. Wooten noted the Board had previously voted for staff to find a firm to conduct a comprehensive pay and classification study. He reported after he and Maria Preswood, HR Director met with the two firms that had sent in the lowest proposals, they had chosen the MAPS Group for the project. A copy of the proposal is in the agenda packet. The total cost of the study would be \$32,000.

Chairman Brown noted he would rather see the money spent for giving pay increases to those who are in the lower pay scale than on the salary study.

Vice Chairman Walker asked if there were identified funds to implement the changes recommended. Mr. Wooten noted there were no funds identified and without knowing where the deficiencies are he wouldn't know how much to allocate. Vice Chairman Walker added by doing the study gave county employees a false sense of hope if there were no funds set aside to implement the changes needed. He suggested taking one to two years to put money back to raise employees where they should be.

Commissioner Vaughn asked how could staff plan ahead without a study to know how much funding was needed.

Mr. Wooten noted there is not enough staff capacity to do the type of pay scale study the group would do. Staff does have a sense of where the greatest underpaid employees are, and the study would show the deficiencies and classification errors. He also understood by not having funds identified for everyone to get increases, it would be a challenge to pick one department over another.

Commissioner Ellis would like for staff to have a two-year budget with a third-year implementation plan. He felt the Board must have a capital expenditure plan, and there was a definite need for a budget identifying assets, buildings and salary needs. Also, the department head needs to let staff know their three-year budget needs.

Commissioner Allison agreed with Commissioner Vaughn that the Board needs to know where the baseline is now to understand where you need to go; and also agreed with Vice Chairman Walker on not doing a study when there are no funds to give increases.

Commissioner Ellis made a motion to table the pay study and request staff to instruct department heads to do a department budget four months down the road to have an idea what they are looking at, second by Vice Chairman Walker. Discussion was held on department heads presenting a three-year budget request. For clarification, Commissioner Ellis restated his motion was to table the pay study indefinitely, have department heads present a three-year budget request, staff will have a three-year budget projection, so when the Board meets for budget discussions they will have a better understanding of department needs, second by Vice Chairman Walker.

Brown; Walker; Ellis; Vaughn – yes
Allison-no
By a vote of 4-1 the motion passed.

Building Projects Update

The new Administrative Offices construction is progressing on both levels. The upper level has a completion date of early 2022 and the lower level is scheduled for an early spring 2022 completion.

The Emergency Services Headquarters is scheduled for an early 2022 completion. The contractor has had some material delays and material cost increases. The engineer has held firm on the quotes.

The Public Shooting Range project continues with the construction of the buildings.

The Board had previously requested staff to suggest names for the current County Administration Building, since the new location would be called McDowell County Administrative Offices. The suggested names for the 60 E Court St location was McDowell County Courthouse Annex Building; McDowell County Courthouse Annex; McDowell County Services Building; and McDowell County Office Building.

Following discussion, Vice Chairman Walker made a motion to change the name of the County Administration Building to McDowell County Services Building, second by Commissioner Allison. By a vote of 5-0 the motion passed.

Fire Agreement Review

Mr. Wooten presented a draft Marion Area Fire Agreement for the Board's recommendations. A copy of the agreement is with the agenda materials.

Vice Chairman Walker made a motion for the agreement to be a first reading, second by Commissioner Vaughn. By a vote of 5-0 the motion passed.

Census 2020 Update

Mr. Wooten reported the 2020 Census figures for the county, city and town were disappointing. McDowell County had a decrease of 0.9%; The City of Marion had a 1.5% decrease; and the Town of Old Fort had a 10.7% decrease. He noted there would be an appeal process beginning in January. The Foothills Regional Commission is a possibility of assisting with the appeal process.

Transfer Station Planning

Staff reported the State had directed the operator of solid waste systems to provide a facility evaluations report to them for review. The County's consultant, LaBella Associates, prepared and submitted the report. Based on the report the 30-year old facility will need a major rehabilitation or replacement within the next few years. Staff recommended LaBella Associates to create a master site plan to determine if the property can be better utilized. The consultant fee would be \$35,000, and would be covered with budgeted funds.

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

Administrative Items

The Foothills Regional Commission presented a resolution for approval to rename the Region C

Workforce Development Board to the Foothills Workforce Development Board.

**RESOLUTION AUTHORIZING AND ENDORSING THE NAME CHANGE OF
THE REGION C WORKFORCE DEVELOPMENT BOARD TO
FOOTHILLS WORKFORCE DEVELOPMENT BOARD**

WHEREAS, the contiguous units of general purpose of local government County of Cleveland, County of McDowell, County of Polk, and County of Rutherford have established a consortium to act jointly as a local Workforce Development Area under the Workforce Innovation and Opportunity Act (WIOA), Public Law 113-128 as enacted July 22, 2014, known as the Region C Workforce Development Consortium:

WHEREAS, this consortium, has the authority to establish and name the local workforce development board, currently known as Region C Workforce Development Board;

WHEREAS, the original consortium agreement may be amended at any time upon the consent of all of the parties as evidenced by resolution of the governing bodies of each member government and as approved by the State:

WHEREAS, the Region C Workforce Development Board voted on a recommendation provided by their staff to change the name of the Local Workforce Development Area from Region C Workforce Development Board to Foothills Workforce Development Board on May 6, 2021; and

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY OF CLEVELAND, THE COUNTY OF MCDOWELL, THE COUNTY OF POLK, AND THE COUNTY OF RUTHERFORD; that in consideration of this vote and of the need for consistent branding across our local area, the member units of the Region C Workforce Development Consortium authorize and support this name change, authorize the amendment of the consortium agreement to reflect this, and recommend that the North Carolina Division of Workforce Solution approve this name change.
Attest:

Cheryl L. Mitchell
Clerk to the Board

Tony G. Brown, Chairman
Board of Commissioners

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

The City of Marion requested the County to participate in their efforts to improve the Christmas decorations along Main Street. They requested the County to purchase a large Christmas swag that would stretch across Main Street. The approximate cost of the swag was \$2,400.

Vice Chairman Walker made a motion to take \$2,500 out of the Courthouse Project Fund overage and purchase the Christmas decoration, second by Commissioner Ellis. By a vote of 5-0 the motion passed.

Mr. Wooten presented EMS write-offs totaling \$120,918.53 for approval.

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

The following budget amendments were presented:

GF1 – to appropriate anticipated sales tax reimbursement

GF2 – to appropriate asset forfeiture revenue in the Sheriff's Office

SP1 – amends the School Project Fund

Vice Chairman Walker made a motion to approve GF1, GF2 and SP1, second by Commissioner Allison. By a vote of 5-0 the motion passed.

Tax Matters

Mr. Wooten presented a request from Ms. Linda Onufrey, Tax Collector, to charge off uncollected taxes for the 2010 tax year in the amount of \$138,326.20 as of September 1, 2021. The amount was not included in the accounts receivable annual audit report because by statute the funds were not collectible.

Release over \$100	\$ 3,188.24
MV tax refunds	\$ 344.17
Discoveries	\$ 461.99

Commissioner Vaughn made a motion to approve all tax matters as presented, second by Vice Chairman Walker. By a vote of 5-0 the motion passed.

Vice Chairman Walker requested staff look at the tax discount offered to tax payers for paying their taxes in August, and bring back the information next month with staff recommendation.

Board Appointments

This being the first reading for the Planning Board vacancy the vacancy will be advertised and applicants presented at the second reading.

American Rescue Plan Act (ARPA)

Vice Chairman Walker noted the \$4.4M ARPA funds the county will be receiving is very limited in what the funding can be spent on. The county has been working toward a water filtration plant, and currently Buck Creek is the county's sole water source. The county is not allowed to use funds from the General Fund balance for the water system, and the county will receive an additional \$4.4M in eight to nine months.

Vice Chairman Walker made a motion to designate \$4M to go towards infrastructure for water lines to build up the water system, second by Commissioner Ellis. Chairman Brown suggested spending \$2M out of the first ARPA funds and \$2M out of the second allocation of ARPA funds since the County is receiving a total of \$8.8M in ARPA funds. Vice Chairman Walker withdrew his motion, and made a motion to spend \$3M from the first allotment to go towards infrastructure for water lines, second by Commissioner. Ellis.

Mr. Wooten asked if there was a need other than water that was identified for COVID, was there an opportunity to come back to the Board for an unforeseen emergency. He added he was working on a plan for other needs he would be presenting to the Board. Consensus of the Board was they were always responsive to needs in the County.

Walker; Ellis; Vaughn; Allison – yes

Brown – no

By a vote of 4-1 the motion passed. For clarification Chairman Brown agreed on spending \$3M on the water lines, but would rather the funds be split out of the two allotments.

Resolution

Resolution Declaring September 2021 as “Preparedness Month” in McDowell County

WHEREAS, National Preparedness Month (NPM) is an observance each September to raise awareness about the importance of preparing for disasters and emergencies that could happen at any time; and

WHEREAS, McDowell County has been affected by a number of disasters and emergencies in recent years, including Hurricanes Florence, Dorian, Michael, and Tropical Storm Fred; as well as snow and ice storms; and

WHEREAS, Counties throughout North Carolina have been affected by a variety of emergencies, including mudslides, wildfires, flooding, earthquakes, and the COVID-19 pandemic; and

WHEREAS, in 2020 the State of North Carolina experienced 48 tornado touchdowns, 247 flood incidents, and 609 severe thunderstorms with damaging wind and hail, all of which resulted in more than \$27.5 million in damages statewide; and

WHEREAS, the peak period of hurricane season is historically mid-August through October, and September 10th marks the peak of hurricane season; and

WHEREAS, on Saturday, August 14, 2021, Brunswick County Commissioner and NC Association of County Commissioners (NCACC) President Frank Williams announced the “100 Counties Prepared” initiative; and

WHEREAS, the 100 Counties Prepared initiative will focus on training county commissioners on how to effectively lead during emergencies, compiling resources to assist commissioners during emergency situations, and helping commissioners establish relationships with key emergency management partners; and

WHEREAS, the 2021 theme of National Preparedness Month is “Prepare to Protect. Preparing for disasters is protecting everyone you love;” and

WHEREAS, National Preparedness Month is aimed at encouraging citizens to develop an emergency plan, build an emergency kit, and take other pro-active steps to prepare for potential emergencies; and

WHEREAS, the McDowell County Board of Commissioners desires that every household, property owner, and business in McDowell County be prepared for potential emergencies.

NOW, THEREFORE, BE IT PROCLAIMED, the McDowell County Board of Commissioners hereby declares September, 2021 as Preparedness Month in McDowell County, and encourages all citizens to

Prepare to Protect their loved ones by developing an emergency plan, building an emergency kit, and communicating their emergency plan to all members of their household and/or workplace.

ADOPTED this 13th day of September, 2021.

ATTEST:

Cheryl L. Mitchell, Clerk to the Board

Tony G. Brown, Chairman
Board of Commissioners

Vice Chairman Walker made a motion to approve the Resolution Declaring September 2021 as “Preparedness Month” in McDowell County, second by Commissioner Allison. By a vote of 5-0 the motion passed.

Citizen Comment

Chairman Brown opened the floor for citizen comments at 7:12pm.

Matt Jackson spoke on COVID strike teams.

Citizen comment ended at 7:17 pm.

Reports/Staff/Commissioners

Mr. Wooten announced the Board would be meeting for their October 11, 2021 Regular Session at the Carson House Arbor at 4:00pm. He also noted the housing repair program and Workforce Housing Project will be on next month’s agenda.

Adjourn

Vice Chairman Walker made a motion to adjourn at 7:18pm, second by Commissioner Ellis. By a vote of 5-0 the motion passed.

Attest:

Cheryl L. Mitchell
Clerk to the Board

Tony G. Brown
Chairman