

**STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL COUNTY
BOARD OF COMMISSIONERS
REGULAR SESSION –JULY 11, 2022**

Assembly

The McDowell County Board of Commissioners met in Regular Session on Monday, July 11, 2022, at 5:00p.m., in the Commissioner’s Board Room, 69 N Main St., Marion, NC.

Members Present

Tony Brown, Chairman; Brenda Vaughn; Chris Allison; Patrick Ellis

Members Absent

David N. Walker, Vice-Chair

Others Present

Ashley Wooten, County Manager; Cheryl Mitchell, Clerk to the Board; Victoria Craig, Deputy Clerk to the Board; Lake Silver, Management Asst.

Call to Order

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

Approval of Minutes

Commissioner Ellis made a motion to approve the June 13, 2022 Regular Session minutes; June 13, 2022 Closed Session minutes; June 20, 2022 Regular Session minutes; and June 30, 2022 Recessed Session minutes, and June 30, 2022 Closed Session minutes, second by Commissioner Allison. By a vote of 4-0 the motion passed.

Approval of Agenda

Mr. Wooten requested to remove Item A- recognition of Transit Staff due to Mr. Jason Hollifield unable to attend the meeting. Mr. Hollifield would present the item at next month’s meeting.

Commissioner Ellis made a motion to approve the agenda with the deletion, second by Commissioner Allison. By a vote of 4-0 the motion passed.

MTCC Construction Trades Academy

Dr. Brian Merritt, MTCC President, introduced key people that helped to start a new Construction Trades Academy with the help of the Gateway Foundation’s support. The goal of the academy is to have graduates go into the building industry as soon as they graduate. The classes were: Machining: Introduction to CNC & Milling Level 1; Introduction to Residential Electricity; Beginner HVAC: Intro to Refrigeration; Carpentry Level 1 & Project Management; and Plumbing Level 1.

There were seven recent graduates of the first class, and there are eleven students signed up for the next class. The classes run from 8-16 weeks in length, and will begin August 8 and August 15.

Dr. Merritt also introduced his staff in attendance: Stacy Buff, Associate VP of Workforce Development; Chris Sexton, Lead Instructor for Construction Trades; Margarita Ramirez, Executive Director of Centro Unido Latino Americano (CULA)

Chairman Brown thanked Dr. Merritt for the information and congratulated him on adding the new class.

Opioid Lawsuit Update

Attorney Harold Seagle, local coordinating attorney, for the litigation of the opioid lawsuit, gave an update.

There was a settlement of \$26 billion to North Carolina's local governments, which included \$145,375 to McDowell County this month. Later this summer, the County will receive an additional payment totaling approximately \$319,708. Over the life of the settlement--18 years; McDowell County will receive approximately \$3,783,884 to fight the opioid epidemic. Danny Hampton and Angela Grubb from the Substance Use Task Force will be at a future Board meeting to discuss the allocations recommended.

Attorney Seagle noted it was the largest civic lawsuit in the history of the nation. Chairman Brown thanked Attorney Seagle for his work on the lawsuit.

Public Safety Training Complex

Mr. Wooten reported McDowell Tech and the Fire Commission have approached the County about helping to identify land that can be used for a Public Safety Training Complex. One area of discussion is the old landfill and adjacent property.

Staff have had a preliminary discussion with the County's engineer and the NC Dept of Environmental Quality staff to discuss the feasibility of this concept. NCDEQ had given preliminary approval to move forward with the discussion if the Board agreed. The project costs would be paid for by MTCC and/or the Fire Commission.

Commissioner Ellis made a motion to accept the proposal and continue with the plan, second by Commissioner Vaughn. By a vote of 4-0 the motion passed.

Transfer Station Rehabilitation Plan

Mr. Wooten noted the County had completed an assessment of the transfer station facility's condition and status at the request of NCDEQ.

The County's engineer provided a rehabilitation plan for the facility that would extend the life of the facility. The long-term recommendation of the engineer and staff was to plan on a new transfer station on the property with long-term goal of using the existing facility for a new purpose such as recycling. The estimated cost of improvements was \$773,360. The convenience sites are to remain open during the estimated three weeks for repairs. Staff recommended using state funding for the repairs if the state budget is approved.

Commissioner Vaughn made a motion to move forward with the plan as proposed, second by Commissioner Ellis. By a vote of 4-0 the motion passed.

Building Projects

Services Building

Mr. Wooten noted an RFQ for architectural services was being issued for the planned renovation work at the Services Building. Much of the proposed work is mechanical which required an architectural seal. The County had received state funding to be utilized for the renovations.

Old EMS Station 1

Staff is preparing a demolition bid for the old EMS Station 1. The flag pole will be removed, and the generator will be saved before the rest of the building is torn down.

Paving

The most qualified firm to respond to the RFQ for engineering for the paving projects was SEPI. A copy of the SEPI contract is with the agenda packet. The contract focuses on a multi-year paving plan on each County-owned parking lot and driveway.

ARPA funds would be used to pay for the base SEPI contract for \$66,000.

Commissioner Ellis made a motion to accept the SEPI contract as presented, second by Commissioner Vaughn. By a vote of 4-0 the motion passed.

Parks and Recreation Projects

Shooting Range

Mr. Wooten noted 2/3 of the drive going into the Shooting Range was not paved, and NC Wildlife requested the Federal Government to pay for the remaining paving of the road at 90%. NC Wildlife asked the County to pay the remaining 10% match which would be approximately \$30,000.

Commissioner Ellis made a motion to approve as presented, second by Commissioner Allison. By a vote of 4-0 the motion passed.

Recreation Center Project

Meetings have been ongoing with Holland and Hamrick Architect, and Recreation staff. Mr. Wooten hopes to have a draft plan at next month's meeting for the Board's review.

Ballfield Lighting

Parks and Recreation staff have been getting quotes for new lighting at both Maple Leaf and the Old Fort ballfields. The early quotes have come back higher than anticipated, so the project will go out in a formal bid process.

Water System Projects

The County’s engineer continues to work on the engineering and design for both Phase 1 and Phase 2 of the Nebo Water System expansion. Phase 1 is generally along NC 126 towards Burke County, and is getting close to permitting. Phase 2 is Nebo West-Old Number 10 toward Memorial Park Road toward the city limits. It is not at the design phase yet.

Mr. Wooten reported the grant that Mr. Lake Silver and Ms. Maeva Hassani had written for water line expansion in the Hoppy Tom Hollow Road had received the 3rd highest ranking in the state, according to points awarded. The vote will take place this Wednesday, and the County will be notified if it is awarded.

Mr. Wooten noted a couple of businesses around I-40 Exit 90 had asked for help with water. The County was invited to apply for an Appalachian Regional Commission Grant (ARC) which would pay for half of the cost for 2,000 linear feet of line, which is estimated to be around \$600,000. The balance would come from previously approved funds for water line extensions.

Commissioner Allison made a motion to approve as presented, second by Commissioner Ellis. Discussion was held on the \$8.8M ARPA funds, and \$11M State funds of an up to date report on remaining balances and funds allocated. Mr. Wooten will get an update to the Board. By a vote of 4-0 the motion passed.

Mr. Wooten noted WithersRavenel will initiate the Preliminary Engineering Report for the West Marion Elementary Area water study.

Administrative Items

Mr. Wooten presented the following items:

EMS Write-offs totaling \$43,368.92.

Sheriff’s Office request to transfer a 1995 Chevrolet Suburban to McDowell Tech for training purposes.

RESOLUTION AUTHORIZING TRANSFER OF COUNTY OWNED PROPERTY

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

WHEREAS, North Carolina General Statute 160A-280 permits the County to donate the surplus property; and

WHEREAS, the McDowell County Sheriff’s Office request for the transfer of an inoperable 1995 Chevrolet Suburban to McDowell County Technical Community College for the purpose of hands on experience and training for law enforcement through McDowell Technical Community College.

NOW, THEREFORE BE IT RESOLVED, by the McDowell County Board of Commissioners that the Board authorizes the transfer of the following vehicle:

Year: 1995
Make/Model: Chevrolet/Suburban

Vin# 1GNGK26K48F414724

This resolution shall become effective upon adoption.
ADOPTED this the 11th day of July, 2022

Attest:

Cheryl L. Mitchell
Clerk to the Board

Tony G. Brown
Chairman

Staff recommended moving the official notice board from 60 E Court Street to the new Administrative Offices at 69 N Main St. The following ordinance was presented for approval.

An Ordinance Redesignating the McDowell County “Courthouse Site”

WHEREAS, the McDowell County Board of Commissioners recently moved to 69 North Main Street for their meeting location; and

WHEREAS, the McDowell County Board of Commissioners has determined that the traditional location of the “courthouse bulletin board,” is no longer appropriate or convenient for the posting of notices; and

WHEREAS, pursuant to North Carolina General Statute Section 153A-443, McDowell County is authorized to designate an appropriate or more convenient location for such site.

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

1. The McDowell County Administrative Offices, 69 North Main Street, Marion, North Carolina, shall serve as the “courthouse bulletin board”. The west wall of the vestibule on the first floor of the McDowell County Administrative Offices shall serve as the site of the “courthouse bulletin board” for the posting of notices that are required by law to be posted.
2. Notice of this Ordinance shall be published within 30 days of its effective date.
3. Notice of this Ordinance shall be posted at the west wall of the vestibule on the first floor of the McDowell County Administrative Offices for a period of 60 days from the effective date of this ordinance.
4. Notice of this Ordinance shall also be posted at the place that has heretofore served as the traditional location of the “courthouse bulletin board” in the building currently identified on its exterior as the Services Building. Such notice shall be posted for a period of 60 days from the effective date of this ordinance.
5. This Ordinance shall be effective upon adoption.

Adopted this 11th day of July, 2022.

ATTEST:

Cheryl Mitchell
Clerk to the Board

Tony G. Brown
Chairman

Commissioner Ellis made a motion to approve all administrative items as presented, second by Commissioner Allison. By a vote of 4-0 the motion passed.

Tax Matters

Release over \$100	\$ 162.45
Discoveries	\$ 651.79
MV tax refunds	\$ 1,606.92

Commissioner Allison made a motion to approve the tax matters as presented, second by Commissioner Ellis. By a vote of 4-0 the motion passed.

Board Appointments

This being the second reading the following were voted on by written ballot for the Planning Board: Nathan Geisler; Christian Hendley; Alpo Portelli; Tommy Stamey

By a vote of 4-0; Tommy Stamey was approved.

The Board also designated a voting delegate for the NCACC Annual Conference and NCACC Legislative Goals Conference.

Commissioner Allison volunteered to serve as the voting delegate to both conferences.

Citizen Comment

Chairman Brown opened the floor for citizen comments at 5:52 pm.

Chris Brown spoke on raw sewage coming from a house for several years. He had been to the Health Dept to file a complaint.

Citizen comment ended at 5:56pm.

Reports/Staff/Commissioners

There were no reports.

Closed Session

Chairman Brown noted the Board needed to go into Closed Session pursuant to NCGS 143-318.11(a)(6).

Commissioner Ellis made a motion to go into Closed Session at 5:57pm, second by Commissioner Allison. By a vote of 4-0 the motion passed.

Commissioner Ellis made a motion to go out of Closed Session at 6:08pm, second by Commissioner Vaughn. By a vote of 4-0 the motion passed.

No action was taken.

Adjourn

Commissioner Ellis made a motion to adjourn at 6:08pm, second by Commissioner Allison. By a vote of 4-0 the motion passed.

Attest:

Cheryl L. Mitchell
Clerk to the Board

Tony G. Brown
Chairman