

**STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL COUNTY
BOARD OF COMMISSIONERS
REGULAR SESSION –MARCH 14, 2022**

Assembly

The McDowell County Board of Commissioners met in Regular Session on Monday, March 14, 2022, 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 5:00pm. The invocation was given by Commissioner Allison, and the pledge of allegiance was given by Cub Scout Troop 132 Webelos.

Approval of Minutes

Vice Chairman Walker made a motion to approve the February 14, 2022 Regular Session minutes, and February 21, 2022 Regular 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 approve the agenda, second by Commissioner Allison. By a vote of 5-0 the motion passed.

Donnie Tipton Retirement Recognition

Chairman Brown presented a proclamation honoring Captain Donnie Tipton for approval.

Vice Chairman Walker made a motion to approve the *Proclamation to Honor Captain Donnie Tipton*, second by Commissioner Allison. By a vote of 5-0 the motion passed.

Proclamation to Honor Captain Donnie Tipton

Whereas, Captain Donnie Tipton is retiring after 31 years of service with McDowell Emergency Medical Services; and

Whereas, in 1991 he joined the agency serving as a truck medic; and worked his way up to Lieutenant; and

Whereas, in 2007 he was promoted to Captain; and

Whereas, in 2008 he became chief of the Glenwood Fire Department, a title which he still holds; and

Whereas, he has been a NC Level II EMS Educator, Advanced Cardiac Life Support Instructor, a Pediatric Advanced Life Support Instructor, and International Trauma Life Support Instructor; and

Whereas, he has also held numerous positions at the agency as the Quality Assurance Officer, Field Training Officer, Team Lead for Car Seat Technician, Emergency Management Assistant, Assistant Fire Investigator; and

Whereas, Capt. Tipton has also served as a member of the State Medical Assistance Team (SMAT), and Special Operations Team.

Now therefore, be it proclaimed the McDowell County Board of Commissioners recognizes and extends our congratulations to Captain Donnie Tipton for his 31 years of faithful public service to the McDowell County Emergency Medical Services, and wish him and his family the very best as he starts a new chapter in his life.

Attest:

Cheryl L Mitchell
Clerk to the Board

Tony G. Brown
Chair

Commissioner Ellis made a motion to approve the donation of the service badge to Captain Donnie Tipton, second by Commissioner Vaughn. By a vote of 5-0 the motion passed.

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 personnel upon their retirement or death; and

WHEREAS, Captain Donnie Tipton has requested to receive his service badge upon his retirement.

NOW, THEREFORE, BE IT RESOLVED the Board of Commissioners of McDowell County that authorizes the donation of the service badge to Captain Donnie Tipton.

This resolution shall become effective upon adoption.

ADOPTED this the 14th day of March, 2022.

Cheryl L. Mitchell
Clerk to the Board

Tony Brown
Chairman

The Board thanked Capt. Tipton for his service to our county, and then had pictures made as he was presented the proclamation.

ES Director, William Kehler, announced that Capt. Tipton had been approved to receive the Order of the Long Leaf Pine, and a presentation would happen at a later date. He expressed his appreciation, along with his department for the leadership Capt. Tipton had provided during his tenure.

Flash Flooding Recovery

Office of State Budget Management Deputy Director, Nels Roseland, and Dana Phillips, Senior Project Mgr. gave an update on Tropical Storm Fred recovery efforts. Haywood, McDowell, and Yancey Counties had the most significant demand for recovery assistance. Of the 58 claims received in McDowell, 11 had been completed at this time. There were 41 claims regarding damages to bridges and roads. The public was encouraged if that had damage from TS Fred and had not filed a claim to do so as soon as possible.

Destination McDowell Plan

Tim Johnson, Director of Outdoor Recreation Planning with Destination by Design, and Carol Price, TDA Executive Director, gave an update on the strategic plan. TDA had established six primary goals: identify and evaluate assets; engage partners; analyze and fill gaps; value unity; offer visual recommendations; and provide strategies. The plan is a 15-year master plan. A copy of the plan is with the agenda materials.

The County has four different state trails, Fonta Flora; Wilderness Gateway; Overmountain Victory; and Mountains to Sea.

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

National Forest Plan Update

Nick Larson, US Forest Service District Ranger gave an overview of the new Pisgah National Forest land management plan. He noted McDowell County has 73,000 acres in the forest land, equaling 23% of the county land in US Forest Service land.

There were four themes throughout the plan: connecting people to the land; sustaining healthy ecosystems; providing clean and abundant water; and partnering with others. The forest plan establishes a vision for how the Nantahala and Pisgah National Forests will be managed for the next 20 years. The Pisgah National Forest is the most visited forest in the United States. A copy of the plan is with the agenda materials.

Mr. Lawson announced they have awarded a contract to safely get people from upper Catawba Falls to lower Catawba Falls which would greatly reduce the number of injuries to the public.

Fonta Flora State Trail Update

Beth Heile, President of the Friends of Fonta Flora State Trail (F3ST), introduced Amanda Elledge Finn as the new Executive Director.

Ms. Finn gave an update on projects she is currently addressing;

- Three-year strategic plan—assessing community needs, building capacity, developing local and regional trails partnerships, and bringing grant assets to McDowell County
- \$500k F#ST dedicated Complete the Trails funds grant
- \$80k for land acquisition out of the \$10M grant CTP Fund
- \$2M CTP Fund for local governments to create connector trails
- \$330k PARTF Grant for OF Trailhead Park
- \$90k Dogwood Health Trust feasibility study

Mr. Bob Hunter, past F3ST Board President, emphasized the need for funding a full-time person to keep the trails work progressing.

Ms. Finn noted that Burke County has a full-time person, and requested \$20k per year for the next three years to hire a dedicated person to work on trails. Support for operations would only be until F3ST can support themselves through other avenues.

Mayor Steve Little was in attendance and congratulated the Board on their new boardroom and welcomed them to the City.

National Opioid Litigation

Mr. Wooten advised the national lawsuit is close to a settlement and as soon as May payments will start going out to participants. All 100 counties in NC will receive a restricted amount of payment, and Freedom Life will attend next month to present a recommendation for the funds.

Broadband Expansion

Mr. Wooten reported he had spoken with Spectrum and Optimum and both had indicated they would apply for the GREAT grant. Both companies asked for the county's support for their applications toward expansion projects if awarded a grant. The federal funding requires a match, and ARPA funds can be used.

Vice Chairman Walker made a motion to allocate from the ARPA funds \$1M for expansion of broadband and the two companies can apply for the funds, second by Commissioner Allison. Discussion followed on the number of customers added by each of the two companies. Vice Chairman Walker amended his motion to funds would be based on investment of the company as to the percentage of funds they would receive up to the \$1M allocation, second by Commissioner Allison. By a vote of 5-0 the motion passed.

American Rescue Plan Updates (ARPA)

Mr. Wooten presented the American Rescue Plan Grant Project Ordinance Amendment #2 for review. The total allocation is \$8,887,575.

Commissioner Allison asked if the ARPA funds could be used for salary increases. Mr. Wooten advised salary increases was an allowed expense for ARPA funds, but reoccurring expenses would have to have reoccurring funding.

Building Projects

Mr. Wooten reported the construction in the County Administrative Building was progressing.

The anticipated moving date for the staff is May. The Commissioner's Board Room still needs furniture and technology.

Staff is inspecting rooms and making a punch list for the Emergency Services Headquarters. The anticipated ribbon cutting will be in May.

Staff had previously discussed renovations to the Services Building including updating the HVAC, restrooms, ceiling tiles, lighting, etc. There has been \$350,000 allocated in the State renovation funding, and it was recommended to be dedicated to improvements to the building. The goal is for Probation and Parole to move to the second floor of the Services Building. Employee parking will be an issue when they relocate to the second floor.

Vice Chairman Walker made a motion to approve the amount requested for the Services Building, with the budget estimates to be brought back to the Board, second by Commissioner Allison. By a vote of 5-0 the motion passed.

The Board had previously discussed options for the current Station 1 ES building, and staff had contacted an engineer to inspect the building.

Chairman Walker made a motion to bulldoze the current Station 1 headquarters once the building is vacated, to make more parking for court, and Probation and Parole. The metal building was constructed in 1978, and DSS has offices with two people per one office and that department needs more space. If the current DSS facility is added on to for more offices, there will be less parking space at that facility. Staff should present recommendations for a flat parking lot or a parking deck, second by Commissioner Allison. Discussion was held on the cost of saving the building versus needing more parking. Due to business growth downtown, additional parking is needed for businesses and festivals.

Vice Chairman Walker amended his motion to add to the original motion that there be discussions with the City on partnering on the parking lot/deck, second by Commissioner Allison. By a vote of 5-0 the motion passed.

Water System Expansion

Mr. Wooten noted the State had provided \$11 million to the County for water system improvements. Staff requests initiating the design of water line extensions to serve the Old No.10/Memorial Park Road areas. There was also discussion of constructing a line to West Marion Elementary School and the surrounding community. The engineer recommended seeking a grant funding opportunity that had been made available. Staff requested approval of a grant submission to serve the community around West Marion Elementary.

Vice Chairman Walker made a motion to approve the design to extend water lines to serve the Old No.10/Memorial Park Road areas, and submit the grant to serve the area around West Marion Elementary School, second by Commissioner Allison. By a vote of 5-0 the motion passed.

Recreation Center Renovation Project

Representative Dudley Greene appropriated the County with \$4.5 million of State funds that are to be spent on renovations to the Recreation Center property in Marion. Staff will have discussions with the architects about the project scope based on prior direction the Board had given about improvements to the facility. The goal would be to have draft designs within 45-60 days.

Vice Chairman Walker requested pricing on replacing the outdoor pool and building an indoor pool.

Maple Leaf Enhancement Project

Landscape architect, Fred Blackley, had developed a site plan for picnic shelters and a playground. Staff recommended the construction of two picnic shelters and fencing, walkways, etc. now.

Vice Chairman Walker made a motion to approve staff proceeding with bid documents, second by Commissioner Ellis. By a vote of 5-0 the motion passed.

Shooting Range

Staff noted that hiring had begun for the staff at the range, and equipment had been ordered. The grand opening should be in a month.

Vice Chairman Walker recognized Chairman Brown for recruiting the Wildlife to bring the shooting range to our county. The range is one of three in the state. Chairman Brown expressed his appreciation to Chad Marsh, Parks and Rec Director, for his leadership in the construction of the range.

Administrative Items

Mr. Wooten presented the following for approval:

- EMS write-offs totaling \$30,263.77
- Occupancy Late Fee Waiver of \$150.00 due to a medical issue
- request to donate (1) 2006 Stryker Power Pro Stretcher to McDowell Tech’s EMS Program.

Resolution Authorizing Donation of Personal Property to Non-Profit Organization

WHEREAS, The County of McDowell desires to donate (1) 2006 Stryker Power Pro Stretcher, Serial Number 060639389 to McDowell Technical Community College.

WHEREAS, G.S. 160A-280 permits the Board of Commissioners to donate personal property to nonprofit organizations that carry out a public purpose.

WHEREAS, records of all donated property will be maintained by the County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of McDowell County that: The County of McDowell desires to donate (1) 2006 Stryker Power Pro Stretcher, Serial Number 060639389 to McDowell Tech Community College.

This resolution shall become effective upon adoption.

ADOPTED this the 14th day of March 2022.

Cheryl L. Mitchell
Clerk to the Board

Tony G. Brown
Chairman

Budget Amendments

- GF 28 – Transfer between line items and allocate revenue in Emergency Services
- GF 29 – Transfer between line items and appropriate revenue in Public Services
- GF 30 – Appropriate revenue at the Sheriff’s Office
- GF 31 – Transfer between line items and appropriate revenue at Social Services
- GF 32 – Transfers between line items for the Juvenile Crime Prevention Council
- GF 33 – Moves the transit Department to the general Fund
- Transit1 – The other side of the move of the Transit function
- ENT2 – Appropriates grant revenue and grant match for the Recycling program

Vice Chairman Walker made a motion to approve all budget amendments, write-offs, waiver of fees, and donation of stretcher, second by Commissioner Ellis. By a vote of 5-0 the motion passed.

Transit Hygiene Policy

A copy of the McDowell Transit Policies and Procedures Passenger Hygiene and Cleanliness Standard is with the agenda materials. The purpose of the standard is to encourage passengers to maintain certain cleanliness and health standards so as not to jeopardize the health of drivers, themselves, or other passengers.

Commissioner Vaughn made a motion to approve the Transit Passenger Hygiene policy, second by Commissioner Allison. By a vote of 5-0 the motion passed.

Tax Matters

MV tax refunds	\$ 458047
Releases over \$100	\$ 5,019.69
Refunds	\$ 3,177.10
Write-offs	\$ 693.61

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

Board Appointments

The Clerk presented as a first reading three vacancies on the Juvenile Crime Prevention Council, and approval of Tiffany Morgan as the Juvenile Defense Attorney board member.

Vice Chairman Walker made a motion to approve Tiffany Morgan as the Juvenile Defense Attorney representative on the board, second by Commissioner Vaughn. By a vote of 5-0 the motion passed.

Citizen Comment

Chairman Brown opened the floor for citizen comment at 6:56 pm.

Toby Bramlett, YMCA Director, invited the Board to an event recognizing Jed Rankin on March 26, 2022 for his contribution to the YMCA as it had been open 19 years.

Sandy Mann reported she had 30 feral cats that had been dropped off at her house. She had received some help from Mercy Animal Fund. She noted the waiting list was long to have them fixed, and wanted help with care for the animals.

Mr. Wooten advised the county does up to 400 spay and neuter vouchers per year.

Chairman Brown suggested scheduling a workshop to work on answers for the feral cat population.

Citizen comment ended at 7:06pm.

Commissioners/Staff Reports

None

Closed Session

Mr. Wooten announced the Board needed to go into Closed Session pursuant to NCGS 143-318.11 to discuss an economic development matter.

Commissioner Ellis made a motion to go into Closed Session at 7:07pm, second by Commissioner Allison. By a vote of 5-0 the motion passed.

No action was taken.

Vice Chairman Walker made a motion to go out of Closed Session at 7:37pm, second by Commissioner Vaughn. By a vote of 5-0 the motion passed.

Adjourn

Commissioner Vaughn made a motion to adjourn at 7:37pm, second by Commissioner Allison. By a vote of 5-0 the motion passed.

Attest:

Cheryl L. Mitchell
Clerk to the Board

Tony G. Brown
Chairman