

**STATE OF NORTH CAROLINA
MCDOWELL COUNTY
BOARD OF COMMISSIONERS
REGULAR SESSION – November 13, 2023**

Assembly

The McDowell County Board of Commissioners met in Regular Session on Monday, November 13, 2023, at 5:00 p.m., at the Commissioners Board Room, 69 N Main Street, Marion, NC.

Members Present

David N. Walker, Vice-Chairman; Chris Allison; Lynn Greene

Members Absent

Chairman Tony Brown; Patrick Ellis

Others Present

Ashley Wooten, County Manager; Charity Turner-Coates, Clerk to the Board; Dr. Kim Case; Ron Harmon, Director of Planning; Karen Powell; Fred Coats, County Attorney

Call to Order

Vice Chairman, David Walker called the meeting to order at 5:00 p.m.

The invocation was given by Commissioner Allison and the Pledge of Allegiance was led by Commissioner Lynn Greene.

Approval of Minutes

Commissioner Greene made a motion to approve the October 9, 2023, Regular Session minutes; the October 16, 2023, Regular Session minutes and the Closed Session minutes; and the Recessed Session minutes on October 23, 2023. Commissioner Allison seconded the motion. By a vote of 3 to 0, the motion passed.

Approval of the Agenda

Commissioner Greene made a motion to approve the November 13, 2023 agenda, and the motion was seconded by Commissioner Allison. By a vote of 3 to 0, the motion passed.

Appointments

A. myFutureNC Presentation

Dr. Kim Case presented a PowerPoint demonstration to the Board with an overview and goal of the organization which is to increase statewide, the number of post-high school education. This includes education beginning at 16 years of age and continuing to age 44. The goal is to increase education through college degrees, certificates, or other credentials. From research, the State of NC realized the need for building a strong workforce for the future and to help individuals have the skills necessary to enter higher-paying careers. Statistically, McDowell County appears to have numbers similar to those of surrounding counties. The public was encouraged to look at the benefits available through this program to help offset the cost of higher education. There is no budget impact on the County.

Vice Chairman Walker did state the Board of Commissioners has a wonderful working relationship with the Community College and McDowell County School Board and meets monthly with the goal of working to create the best educational system possible for the community.

A motion was made by Commissioner Greene to approve and adopt the resolution and was seconded by Commissioner Allison. By a vote of 3 to 0, the resolution passed.

B. Ordinance Updates

Mr. Ron Harmon, Director of Planning was recognized by Vice Chairman Walker. Mr. Harmon provided the Commissioners with a draft of the Commercial Cryptocurrency Ordinance that was requested previously. Mr. Harmon explained the ordinance would basically ban the deployment of commercial cryptocurrency mining throughout the unincorporated areas of the county.

The County Manager, Mr. Wooten explained the Board of Commissioners would need to schedule a public hearing in December.

Commissioner Green made a motion to accept the presentation and to hold a public hearing which was seconded by Commissioner Allison. By a vote of 3 to 0, the motion was approved.

The public hearing will be held on December 11, 2023.

Mr. Ron Harmon requested the ordinance for Telecommunications Towers be amended to state any cell tower moving forward would need to remain under 200 feet.

Mr. Ron Harmon explained the current ordinance was adopted in the year 2000. In 2012 the Spectrum Act was put in place. The Planning Board has allowed towers to up to 199 feet but is asking the Board to allow them to lower the height to 179 feet, to ensure if a company invokes the Spectrum Act, the towers will continue to be under the 200 feet threshold.

A motion was made by Commissioner Greene to grant the request and was seconded by Commissioner Allison. By a vote of 3 to 0, the ordinance passed.

C. Health District Updates

Vice Chairman Walker, recognized Ms. Karen Powell, Director of the Health Department. She is requesting an increase in several environmental health fees that would align the County's fees with surrounding counties (see attached fee list).

Vice Chairman Walker did question why the revisit fee was substantially higher than the other counties. Ms. Powell stated this was an effort to help elevate multiple visits before a property was ready for inspection.

A motion was made by Commissioner Greene to accept the increased fee list and was seconded by Commissioner Allison. By a vote of 3 to 0, the motion passed.

Ms. Powell also asked the Commissioners to endorse a policy banning smoking and vaping at the Health Department, this included a ban that was 50 feet off of the property.

The Commissioners requested this item be revisited in 30 days.

D. Road Renaming Hearing

County Manager Wooten shared with the Board that the property owner has requested two named roads off Hankins Road be renamed.

Vice Chairman Walker explained this required a public hearing.

Commissioner Allison made a motion to enter into a public hearing and it was seconded by Commissioner Greene. By a vote of 3 to 0, the motion passed.

The property owners have submitted the required petition and paid the required fees for the notice of hearing and new signage. The road currently named Tyler Drive would be changed to Drake Lee Drive and the road named Abby Drive would be changed to Jett Way.

Vice Chairman Walker asked if any person was present, that would like to be heard on this matter and no person wished to be heard.

A motion was made by Commissioner Allison to go out of public hearing and was seconded by Commissioner Greene. By a vote of 3 to 0, the motion passed.

Commissioner Greene asked if the new road names have any adverse effect on any emergency services. Mr. Wooten informed the Board that Emergency Services had been contacted and requested road names do not create any conflicts.

Commissioner Greene made a motion to approve the request and it was seconded by Commissioner Allison. By a vote of 3 to 0, the motion passed.

Old Business

A. Strategic Planning Update

County Manager Wooten updated the Board on the strategic planning process that began in August 2023. Since that time, staff and NC Commerce officials have worked to put together a working group comprised of numerous departments and agencies. The group held the first meeting on November 1, 2023, to review strengths, weaknesses, opportunities, and threats that were identified by the Board. The next meeting will focus on the vision that has been laid out by the Board. The Commissioners were also informed of a survey that has been shared with the public in an attempt to have input from the community. The survey can be found on the County's website. The community was encouraged to complete the survey.

B. Capital Updates

County Manager Wooten updated the Board on several projects, including the Recreational Center, Animal Shelter, and the Garden Street Parking Lot.

The architect is now reworking the bid scope to focus on the pool, parking/driveway improvements, and whatever components can be completed on the sports field. Due to the holiday season, the bidding process may be delayed.

There will be a meeting with staff and the architects to review and finalize the drawings for the shelter. A topographical survey of the proposed location on 226 South has been ordered. The Board was updated on the fact that meetings have occurred with possible donors and the effort to have more people step forward and get involved.

The Board was updated on the Garden Street parking lot. The EMS building foundation has been removed. The City and County are continuing to work toward a partnership on the parking lot.

C. Water System Update

County Manager Wooten provided updates on the many water projects.

Work has begun on Phase 1 and the Lonesome Pine Drive line is essentially complete. Phase 2 is under final design.

The Universal water line portion is complete, with the sewer work a few months out.

Hoppy Tom Hollow is ready for the bidding process to begin.

The grant for the East End project along NC 126 was awarded and there will be a meeting with neighborhood residents about the project.

The Appalachian Regional Commission grant to extend water around exit 90 was awarded as well as the grant for \$500,000, to extend water towards West Marion Elementary. The State budget also granted \$3.88 million to the County to extend water around the community of West Marion Elementary.

New Business

A. HUD HOME Consortium

County Manager Wooten discussed with the Commissioners, a couple of years ago the Board agreed to act as the lead agency for the Housing and Urban Development (HUD) Home Consortium.

The Foothills Regional Commission has presented a partnership agreement.

After discussion, Commissioner Allison made a motion to approve the partnership agreement and the funds from HUD. The motion was seconded by Commissioner Greene. By a vote of 3 to 0, the motion passed.

B. Property Leases

County Manager Wooten presented the Board with two lease-related items. Both have no revenue associated with the leases.

One is the building on N Garden Street currently being used by the Red Cross. This is essentially a no-cost lease in exchange for the service provided to the community.

The next request was from McDowell Tech to use a pole barn at the rear of the Universal property for storage and an outdoor classroom for the construction program.

After discussion, a motion was made by Commissioner Greene and was seconded by Commissioner Allison to approve the leases. By a vote of 3 to 0, the motion passed.

C. Budget Updates

County Manager Wooten updated the Board on numerous budget items.

The property tax collection report shows a 59.15% collection rate through the end of October.

Several action items were listed, including several construction project amendments, close-out resolutions, amendments GF2 through G5, and SP1 through 911F1.

A motion was made by Commissioner Greene to accept the budget updates and was seconded by Commissioner Allison. By a vote of 3 to 0, the motion passed.

D. Administrative Items

County Manager Wooten presented the administrative items to the Board.

The EMS write-offs are a total of \$41,198.83.

A motion was made by Commissioner Greene to accept the EMS write-offs and was seconded by Commissioner Allison. By a vote of 3 to 0, the motion passed.

The Board was presented with two reimbursement resolutions for vehicle purchases at McDowell DSS and an ambulance.

A motion was made by Commissioner Greene to approve the resolutions as presented and was seconded by Commissioner Allison. By a vote of 3 to 0, the motion passed.

The Appalachian Archery Club is asking the Board for usage of the shooting range for five full days, not consecutive for youth archery tournaments, and one partial day that will be used for a fundraiser. The shooting range will be compensated \$150.00 for each day.

Vice Chairman Walker stated the days are not consecutive and he supports supporting youth who are involved in the archery program.

Commissioner Greene made a motion to approve the request which was seconded by Commissioner Allison. By a vote of 3 to 0, the motion was passed.

E. Tax Matters

County Manager Wooten presented the Board with the monthly tax reports.

North Carolina vehicle tax refund- \$789.55 dollars.

Refunds \$7,646.65 dollars

Release over \$100 - \$4,600.66 dollars

A motion was made by Commissioner Greene to approve the tax matters and was seconded by Commissioner Greene. By a vote of 3 to 0, the motion passed.

Vice Chairman Walker made a statement to the public informing the audience the Board receives the agenda and a packet of information prior to the meeting to help them prepare and stated his appreciation for the individuals who were in attendance.

F. Board Appointments

Vice Chairman Walker recognized the Clerk to the Board.

The second reading for the Juvenile Crime Prevention Council was made, this is a faith-based seat.

The first reading for four vacancies with the Juvenile Crime Prevention Council was made.

The second reading for one vacancy for the Historic Preservation Commission was made. The member must have a demonstrated interest and background in history and must reside outside the corporate limits of the Town of Old Fort and the City of Marion.

The second reading for one vacancy on the Transportation Advisory Board was made.

The second reading for two vacancies on the Planning Board was made.

The Board voted and approved Mr. James Williams for the Planning Board.

The Board voted and approved Mr. David Patneude for the Planning Board.

The Board voted and approved Ms. Nance Moore for the Transportation Advisory Board.

The Board voted and approved Conner Tolley for the under-age 21 vacancy for the Juvenile Crime Prevention Council.

Vice Chairman Walker encouraged the public to consider serving the community by serving on a Board and directed the public to reach out to the clerk of the Board to get an application for service.

G. Resolution to Support Israel

Vice Chairman Walker stated Israel has been attacked in a barbaric way and stated it is important for us to stand with Israel. He asked for staff to draft a resolution in support of Israel as a nation and asked to have that resolution brought back in front of the Board at the next meeting.

Citizen Comment

There were two citizen comments.

Mr. Kenneth Wegman addressed the Board and expressed his concern for the amount in which his property taxes have increased over the past five years. He stated he would like to see some type of discount for all senior citizens.

Mrs. Beth Silver addressed the Board over her concerns about a vote the Board made in November 2022, making the School Board race partisan. She shared, that as an unaffiliated candidate for the School Board, she has done a lot of research and she would like to feel this was a “hasty decision” but after re-watching the video she feels it was well calculated and a behind-the-scenes move. Mrs. Silver specifically stated her disagreement with some of the Commissioners who are currently on the Board.

Closed Session

At 6:07 pm a motion was made by Commissioner Allison to enter into a Closed Session, pursuant to NCGS 143-318.11(a)(6). The motion was seconded by Commissioner Greene. By a vote of 3 to 0, the motion passed.

At 6:22 pm a motion was made to Commissioner Greene to go out of the Closed Session and was seconded by Commissioner Allison. By a vote of 3 to 0, the motion passed.

County Manager Wooten reminded the public the McDowell County offices will be closed on Thursday and Friday of the following week for the Thanksgiving holiday.

Adjourn

A motion was made a 6:23 pm by Commissioner Allison to adjourn and was seconded by Commissioner Greene. By a vote of 3 to 0, the motion passed.