

**STATE OF NORTH CAROLINA  
MCDOWELL COUNTY  
BOARD OF COMMISSIONERS  
REGULAR SESSION – May 13, 2024**

**Assembly**

The McDowell County Board of Commissioners met in Regular Session on Monday, May 13, 2024, at 5:00 p.m., in the Commissioner's Board Room, 69 N Main St., Marion, NC.

**Members Present**

David N. Walker, Chairman; Tony Brown, Vice-Chair; Chris Allison and Patrick Ellis

**Members Absent**

Lynn Greene

**Others Present**

Ashley Wooten, County Manager; Sena A. Allison, Clerk to the Board; Fred Coats, County Attorney; Ricky Buchanan, McDowell County Sheriff; Lt. David Marler, Matt Burniesen, Agriculture and Natural Resources Program Assistant and Marlan Brinkley, McDowell County Library Director.

**Call to Order**

Chairman Walker called the meeting to order at 5:00 p.m. The Prayer was given by Vice Chair Brown. The Pledge of Allegiance was given by Commissioner Allison.

**Approval of Minutes**

Commissioner Ellis made a motion to approve the April 8, 2024 Regular Session minutes; and the April 15, 2024 Regular Session minutes; this was seconded by Commissioner Allison. By a vote of 4-0, the motion passed.

**Approval of Agenda**

Commissioner Ellis made a motion to approve the Agenda; this was seconded by Commissioner Allison. By a vote of 4-0, the motion passed.

## **Recognition of Lt. David Marler**

Chairman Walker called forth Sheriff Ricky Buchanan to speak on behalf of the Sheriff's Office in honoring Lt. David Marler, who is retiring from the McDowell County Sheriff's Office later this month. Sheriff Buchanan spoke on the history that led Lt. Marler to be in law enforcement, with starting in 1994 as part time with the Sheriff's Office for \$8.28 an hour. Lt. Marler went to full time in 1995, serving in various positions throughout his service promoting to a Lieutenant. Sheriff Buchanan noted several commendations throughout his distinguished career including being the Old Fort Ruritan Deputy of the Year, being awarded salutations in 2009, by then Sheriff Dudley Greene for acts of bravery during a shooting incident.

The Sheriff publicized that Lt. Marler completed his entire law enforcement career in McDowell County, which is a rarity and spoke of how he has served the citizens with selfless dedication, honor and what a pleasure it has been for himself to have been able to work alongside the Lieutenant. Sheriff Buchanan gave tribute to Lt. Marler with a standing ovation and read out loud a Certificate of Appreciation.

Chairman Walker spoke on his appreciation of Lt. Marler on a personal and professional level and thanked his family's dedication to serving McDowell County as well. Vice Chair Brown gave recognition on behalf of his own family, to the sacrifice he and his family has made throughout the years to keep this County safe and he thanked God for everyone in the Sheriff's Office. Commissioner Ellis acknowledged the standard Lt. Marler set for his colleagues and how grateful he has been for the help he has personally received for his family from the Lieutenant and others within the Office. Commissioner Allison congratulated Lt. Marler for his retirement and reiterated his appreciation for his lifelong duty and responsibility to our County. Attorney Fred Coats gave testimony of how professional and courteous Lt. Marler is, along with his trustworthiness and honesty regarding evidence in cases they have both been involved in.

The County Manager noted that the Board was being asked to approve a resolution authorizing the sale of his firearm and the donation of his badge.

Vice Chairman Brown made a motion to approve the Resolution as presented, second by Commissioner Ellis. By a vote of 4-0 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 the sale of the side arm for \$1.00; and

**WHEREAS**, David Marler has requested to receive his service badge and purchase his side arm for \$1.00 upon his retirement; and

Glock 45  
Serial Number BLKD 844

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of McDowell County that the Board of Commissioners authorizes the donation of the service badge and the sale of the side arm to David Marler for \$1.00.

This resolution shall become effective upon adoption.

**ADOPTED** this the 13th day of May, 2024.

The Commissioners, Sheriff and Lt. Marler had his picture taken in the Board Room to commemorate the occasion.

### **Keep McDowell Beautiful Update**

Chairman Walker recognized Matt Burniesen, the Coordinator for the Keep McDowell Beautiful program to give an update to the Board. Mr. Burniesen specified that this program started in the 1980's and how he goes into to the County's schools and talks with kids about nature, littering, recycling and works with them in the school's gardens. He told that under his leadership McDowell has been a Nationally Award-Winning Program, and in 2023 received the "Keep America Beautiful" Presidential Circle Award. He stated due to the Award, in 2024 received the "Keep America Beautiful, Great American Clean Up Grant" which was several items valued at \$1,750.00 such as trash grabbers, orange vests, gloves and trash bags which would have had to have been purchased otherwise. Mr. Burniesen spoke on the volunteers that have helped with community trash pick up and the areas that were cleaned up, he cited that the Lake cleanup is the main part of his job with coordinating volunteers for the first Saturday in May and the first Saturday in October. He also created an "Adopt the Street" program based on the "Adopt a Highway" program and mentioned the groups and organizations that have participated in this and in closing expressed his thanks to the Board for choosing to fund a program that is for cleaning up our County.

Chairman Walker thanked Mr. Burniesen for his enthusiasm and energy and mentioned how Vice Chair Brown, Commissioner Allison and Commissioner Ellis have all brought up littering in the Board Room during meetings before as it is a priority of the Commissioners.

### **Library Strategic Plan**

Chairman Walker recognized Marlan Brinkley, the McDowell Library Director to present a Strategic Plan. Mr. Brinkley stated earlier this year they began this Plan, as a way to be better stewards of tax payer's money and to make sure the efforts of the

library become more impactful to the community. He told how this process was formed by interviews, surveys, focus sessions and using grant funds to hire consultants to build the broad Strategic Plan. This plan is outlined as: Mission, Vision and Values. Mr. Brinkley defined specific details such as improving access and usability through programming, resources, and outreach; aligning the library's facilities to the community's needs; expanding community awareness and engage with the library and increase investment and support for staff to ensure library's viability. He highlighted the Books by Mail program, where books are mailed to people who are homebound, as a free service, that the Commissioners had previously approved and also having the ability to get more information out to the community on what the library has to offer that most people had no perception to.

Mr. Brinkley asked for the support of the Commissioners to vote to accept the Strategic Plan, which would to lead a 12-month detailed plan with measurable goals and from there, every year to build towards a more beneficial experience in our McDowell County Libraries. Chairman Walker expressed how much he favored this plan and Commissioner Ellis stated he was looking forward to seeing the upcoming 12-month goals to be presented.

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

### **Water Projects Updates**

Chairman Walker recognized Ashley Wooten to speak on Water Projects in the County. Mr. Wooten starting with Nebo Phase 1 being almost done; the Hoppy Tom Hollow meeting is coming up on Wednesday, the 22<sup>nd</sup> of May in which a grant was received for this work and Nebo Phase 2 has been advertised, with a bid opening to happen soon. The East End is almost complete, and he stated there is much slow movement from Raleigh on paperwork. The Exit 90 project will begin soon and a developer for US 70 received authorization to begin construction on that line and finally the West Marion Elementary area has a May 31<sup>st</sup> deadline for engineer solicitation.

### **Broadband Update**

Mr. Wooten spoke on receiving updates on the grant activity that Spectrum is doing, which comes on a quarterly report, with a commitment on their projects to be completed by the end of 2025. He noted in regards to the State developed (CAB) Completing Access to Broadband Program, that the State has put out an advertisement to a grant, and will be reported by the end of this month to which company was selected as the provider in serving as many areas as possible without Broadband. Monies for this project are coming from State and County, requiring staff of both, meet and go over the proposals. Mr. Wooten cited that more funding and programs to come following this project, for opportunity to get to the areas that were not able to get services through CAB through a grant called BEAD (Broadband Equity Access Development).

## **Building Update**

Mr. Wooten began on the DSS Building, which there have been schematics done in preparing for staffing needs and a cost estimate. This was reported to legislative delegation last month, and acknowledged as received. He said it was now in their hands to review.

Mr. Wooten moved to the Board's authorizing of getting pricing at the Transfer Station's for a second set of scales as needed for traffic and congestion that is currently happening. The County Manager went over the proposal which is the same type scale currently being used now, and the cost to do the scales with associated improvements, foundational work, including a traffic light comes to approximately \$124,000.00. He gave the recommendation of using ARPA interest to pay for this project. Commissioner Ellis asked if that cost includes all improvements needed, whereas Mr. Wooten answered yes. A general discussion was had on the breakdown of the costs for all components, and pricing being reasonable along with the facility needing State Mandated repairs in which engineering plans with the bid package under development.

Commissioner Ellis made a motion to approve the ARPA interest monies be used for this project, with a second by Commissioner Allison. By a vote of 4-0, the motion passed

Discussion went on with building a temporary space at the Transfer Station while repairs are being done. Vice Chair Brown asked Mr. Wooten to get estimates for paving up to the top, for smaller vehicle traffic in which Mr. Wooten said there has been a discussion with the engineer and will make continue with a solution and costs to present to the Board. Mr. Wooten asked the Board to approve seeking Federal assistance for this facility.

Vice Chair Brown made a motion to approve seeking Federal assistance to fund facility, with a second by Commissioner Allison. By a vote of 4-0, the motion passed.

The County Manager mentioned the 911 Center, located in the lower level of the Marion Police Department, having very limited space and the need to look for other options for an expanded area as needed. He then asked for the endorsement of seeking Federal funding. Vice Chair Brown cited having visited the 911 Center recently and found out they had water issues that could impair the costly equipment that is needed to operate emergencies services precisely. Commissioner Ellis asked staff to find out what the square footage is currently and what the square footage would need to be to conduct all 911 services adequately.

Vice Chair made a motion to approve seeking Federal assistance for a new location to the 911 facility with the appropriate space needed, with a second by Commissioner Ellis. By a vote of 4-0, the motion passed.

Mr. Wooten detailed the Commissioners attending a ground-breaking ceremony for the Recreation Center Project, which should take around 6-7 months on some of the construction with a shorter completion goal on the new driveway and parking lot, as to in time for basketball season. Lastly, he mentioned the Animal Shelter's soil surveys have been completed with at least one more study to ensure the location is suitable for a new construction. Chairman Walker requested for staff to present other sites for the Shelter by next meeting.

Vice Chair Brown then addressed to the people of McDowell County, who would have thoughts to wasteful ways the County spends money. He stated the Board considers what the County and citizens need alike and that they are mindful to recognize the different interests people have, such as some feel passionate towards animals, or recreation, or our trails, or child services, or seniors, or businesses and that the Board tries to represent each and every one of their individual wishes.

### **Charlotte Interbasin Transfer Request**

Chairman Walker started with a statement on thanking the Board for a special meeting being called on this matter and appreciation for supporting the opposition to the proposed by Charlotte to increase of over 30 Million Gallons per day out of our County's water as they have Lake Norman and Hickory amongst a few of the Lakes at their disposal for their needs. Mr. Wooten noted the Resolution to Oppose this request, and his attendance last week at a meeting in Hickory held by Charlotte Water where he spoke this publicly and also cited the City has the same type Resolution to be presented as well. He stated there will be more meetings coming up and that no positive comments were made by attendees of that meeting other than by Charlotte Water. He told that he would be attending another meeting on Friday the 17<sup>th</sup>. Mr. Wooten reiterated staff will be involved throughout the whole process and would be conveying all updates to the Board.

### **School Resolutions**

Mr. Wooten noticed the Board of Education has requested two Resolutions be approved, with the first as a request of the General Assembly to fund a pilot program for Pre-K in the schools as a continuance of the Universal Pre-K that has been engaged in the County for the past couple of years.

Resolution for Additional Funding to Continue Successful Universal Pre-Kindergarten Program in McDowell County Schools

WHEREAS, research shows that high-quality pre-kindergarten (Pre-K) programs provide short-term and long-term economic and academic benefits to communities; and

WHEREAS, those benefits include: better positions students enrolled in Pre-K for success later in life, creates more employment opportunities for parents/guardians, and overall reduces financial burdens; and

WHEREAS, McDowell County Schools has eight elementary schools, each of which is a Title I school; and

WHEREAS, all eight of those elementary schools provide a pre-kindergarten program; and

WHEREAS, pre-COVID, McDowell County received funding through DHHS and the federal government for 227 qualifying four-year-olds to attend NC Pre-K, which totaled approximately 52% of the annual birthrate cohort; and

WHEREAS, McDowell County Schools received a Dogwood Health Trust Grant to offer Universal Pre-K beginning with the 2021-22 school year; and

WHEREAS, over the past three years since the start of Universal Pre-K, McDowell County Schools' kindergarten literacy readiness has improved nearly 15% (and is expected to continue rising) according to Dynamic Indicators of Basic Literacy Skills (DIBELS) data; and

WHEREAS, McDowell County Schools currently serves an expanded group of 67 additional families (bringing the total to 72% of the annual birthrate cohort) in Universal Pre-K who do not qualify for the NC Pre-K program; and

WHEREAS, pre-kindergarten programs have proven to be a worthy investment – every \$1 invested in Pre-K saves taxpayers up to \$13 in future costs for incarceration, education, tax collection increases, and welfare; and

WHEREAS, further research of high-quality Pre-K programs indicate a strong correlation to language acquisition and literacy, as well as math, social-emotional skills, and executive function; and

WHEREAS, with the addition of four new classrooms, McDowell County Schools project serving 85% of all eligible Pre-K students during the 2024-25 school year; and

WHEREAS, McDowell County Schools' past use of Universal Pre-K grants (now expired) have proven positive for students and the community; and

WHEREAS, the McDowell County Board of Public Education is committed to providing a solid educational foundation for all students at McDowell County Schools; and

WHEREAS, the cost of a Universal Pre-K program for McDowell County Schools is \$500,000/year; and

WHEREAS, the McDowell County Board of Commissioners, the McDowell Chamber of Commerce, McDowell Economic Development Authority, and the McDowell Technical Community College find the McDowell County Schools' Universal Pre-K Program a benefit to the local economy in both the short-term and long-term and believe the Program should be continually funded; and

NOW, THEREFORE, BE IT RESOLVED, the McDowell County Schools Board of Education and the McDowell County Board of Commissioners respectfully request recurring state funding for Universal Pre-K by either 1) counting Pre-K students in elementary schools who do not qualify for NC Pre-K or Head Start towards ADM; or 2) creating a pilot grant program that includes McDowell County Schools; or (3) some other means determined by the General Assembly.

Adopted by the McDowell County Board of Public Education of McDowell County Schools this 13th day of May, 2024.

Vice Chair Brown made a motion to endorse the Resolution on Pre-K, second by Commissioner Allison. By a vote of 4-0, the motion passed.

Mr. Wooten stated the second Resolution to be approved would be to declare May 24, 2024 as "James D. Gorst" Day.

**Joint Resolution Declaring May 24<sup>th</sup>, 2024 as "James D. Gorst" Day.**

WHEREAS, Dr. James D. Gorst was born in 1931, has been married to Gerry Gorst for seventy-four years, and raised two children, Karen and Brenda, and

WHEREAS, Dr. James D. Gorst served in the United States Marine Corp for twenty years (1948-68) including the Korean and Vietnam War. He participated in the battle of Chosin Reservoir which involved three American Divisions and United Nations Divisions being encircled by 130,000 Chinese soldiers in temperatures approaching 40 degrees below zero. The divisions had to fight their way out to avoid the perilous situation, and

WHEREAS, Dr. Gorst had a highly successful and innovative career as an educator including serving as Principal of Eastfield Elementary beginning in 1981. Dr. Gorst designed and implemented (with help) the "Year Round Program" at Eastfield Elementary in 1992. The Year Round Magnet School program remains in effect and has received numerous state and national recognitions, and

Whereas, Eastfield Elementary is located in a low-income area and had to contend with a variety of challenges. The program proved successful and Dr. Gorst published academic articles in professional journals and, and



WHEREAS, Dr. Gorst was a visionary in the field of pre-K education and the establishment of the McSmiles Mobile Classroom. The mobile classroom served children age 3 to 4 in order to prepare them for Kindergarten, and

WHEREAS, Dr. Gorst was highly supportive of community affairs including serving as the Chairperson for the United Way, District Chairman of the Swamp Fox District Piedmont Boy Scouts, and

WHEREAS, Dr. James D. Gorst inspired thousands of students, parents, colleagues and community leaders to give their best to achieve their life's goals and to pursue good citizenship.

NOW, THEREFORE BE IT RESOLVED, by the McDowell County Board of Commissioners and the McDowell County School Board that May 24, 2024 is declared "James D. Gorst Day" and encourages all students and citizens to pursue academic improvement.

Adopted, this the 13<sup>th</sup> day of May, 2024.

Vice Chair Brown amended the motion to include this approval as well, second by Commissioner Allison. By a vote of 4-0, the motion passed.

### **Littering Discussion**

The County Manager began with recalling that last month Vice Chair Brown asked to have a discussion in this meeting regarding anti-littering efforts, in which Mr. Wooten suggested a task force committee with departments such as; the Public Services, Keep McDowell Beautiful, Sheriff's Office, a Commissioner appointed person and the Planning Department to begin with and schedule a meeting to broaden the committee. Commissioner Ellis agreed with the suggestions, in which Vice Chair Brown declared he would like to be on this committee.

Chairman Walker made a motion Vice Chair Brown serve on the suggested Anti-Littering Committee, with a second from Commissioner Ellis. By a vote of 4-0, the motion passed.

### **Budget Update**

Mr. Wooten mentioned the property tax and sales tax report included for the Commissioners to review, and cited for the FY 2025 Budget that Ms. Bell and himself were close to having the Budget ready to present and recommended a special meeting on May 23, 2024 at 8:30 a.m.

Commissioner Ellis made a motion to accept the Budget items as presented, with a second from Commissioner Allison. By a vote of 4-0, the motion passed.

### **Administrative Items**

Mr. Wooten discussed items including EMS Write-offs, financing a Garbage truck, and 3 other vehicles, reimbursement Resolutions for Emergency and Public Services, Transit policies to be put into place and the JCPC Annual Spending Plan.

Vice Chair Brown made a motion to accept the Administrative Items presented, with a second from Commissioner Ellis. By a vote of 4-0, the motion passed.

### **Board Appointments**

Mr. Wooten stated the JCPC has asked for approval of their appointments and the approval of a renewal to the Transportation Advisory Board.

Commissioner Allison motioned to approve Board appointments, with a second by Commissioner Ellis. By a vote of 4-0, the motion passed.

### **Tax Matters**

Mr. Wooten went over refunds ordered by the Property Tax Commission and rebills.

Motor Vehicle Tax Refunds: \$1,804.37  
Releases Over \$100: \$0.00  
Releases Under \$100: \$38.40  
Refunds: \$5,241.42  
Discoveries: \$0.00

Vice Chair Brown made a motion to accept the Tax Items presented, with a second from Commissioner Allison. By a vote of 4-0, the motion passed.

### **Citizens Comment**

Chris Price spoke on his titled subject - Praise of Candor.

### **Commissioners/Staff Reports**

Chairman Walker asked the Board and Staff if there were any matters for discussion, whereas there was not.

### **Closed Session**

Chairman Walker asked for a motion to go into a closed session under [NCGS 143-318.11 (a) (3)].

Commissioner Ellis motioned to approve closed session at 6:20 p.m., with a second by Vice Chair Brown. By a vote of 4-0, the motion passed.

### **Out of Closed Session**

Commissioner Ellis motioned to come out of closed session at 6:30 p.m., with a second by Commissioner Allison. By a vote of 4-0, the motion passed.

**Adjournment**

Vice Chair Brown made a motion to adjourn, with a second from Commissioner Ellis. By a vote of 4-0, the motion passed to adjourn at 6:31 p.m.

Attest:

\_\_\_\_\_  
Sena A. Allison  
Clerk to the Board

\_\_\_\_\_  
David N. Walker  
Chairman