

**STATE OF NORTH CAROLINA  
COUNTY OF MCDOWELL COUNTY  
BOARD OF COMMISSIONERS  
REGULAR SESSION – DECEMBER 11, 2017**

**ASSEMBLY**

The McDowell County Board of Commissioners met in regular session on Monday, December 11, 2017, at 5:00 p.m., at the County Administration Building, 60 E Court Street, Marion, North Carolina.

**MEMBERS PRESENT**

David N. Walker, Chair; Barry McPeters, Vice-Chair; Matthew Crawford, and Lynn Greene

**MEMBERS ABSENT**

Tony Brown.

**OTHERS PRESENT**

Ashley Wooten, County Manager; Cheryl Mitchell, Clerk to the Board

**CALL TO ORDER**

Chairman Walker called the meeting to order. The invocation was given by Vice Chair McPeters, followed by the pledge of allegiance, led by Commissioner Crawford.

**APPROVAL OF MINUTES**

Vice Chair McPeters made a motion, second by Commissioner Greene, to approve the November 13, 2017 Called Session and, November 13, 2017 Regular Session minutes as presented. By unanimous vote, the motion carried.

**APPROVAL OF AGENDA**

Commissioner Crawford made a motion, seconded by Vice Chair McPeters to approve the agenda. By unanimous vote, the motion carried.

**SELECTION OF CHAIR AND VICE-CHAIR**

Chair Walker noted the first item of business required by North Carolina State law at the December Board meeting is the selection of a Chair and Vice-Chair. Chair Walker turned the meeting over to the Clerk for this purpose. Ms. Mitchell asked if there were nominations for the position of Chairman of the Board. Commissioner McPeters nominated Commissioner Walker to continue as Chairman for the 2017-2018 year. Commissioner Crawford made a motion to cease nominations, second by Commissioner McPeters. By unanimous vote, the motion carried. The Clerk called for a vote on retaining Commissioner Walker as Chair of the Board of Commissioners. The resulting vote was 3-0 (with Commissioner Walker not voting).

The Clerk announced the floor was open for nominations for Vice-Chair. Commissioner Greene nominated Commissioner Crawford. Chair Walker nominated Commissioner McPeters. Chair Walker made a motion to cease nominations, second by Commissioner Crawford. The Clerk called for a vote:

By a vote a 3-1 Commissioner McPeters was voted in as Vice-Chair.  
For Commissioner Crawford--- Commissioner Greene  
For Commissioner McPeters--- Chair Walker, Commissioners McPeters and Crawford

Chair Walker thanked the Board members for the confidence they had demonstrated in him and that he looked forward to continuing the good work and progress being made in the county. Vice-Chairman McPeters also expressed his appreciation for the Board and their confidence placed in him.

### **UNIVERSAL PROPERTY PLANNING DISCUSSION**

Mr. Wooten noted at a previous Board meeting the Commissioners had approved applying for an Appalachian Regional Commission grant for \$1.5M to construct access roads on the Universal property.

Mr. Chuck Abernathy, MEDA Director, discussed the shell/spec building concept. He explained the benefits of a shell building that is built to assist and facilitate the business recruitment process. The building has four sides with an unfinished gravel floor, dock doors, and an attractive façade. Mr. Abernathy proposed a shell building to be designed as:

- 50,000 square foot with the ability to expand to 100,00 square foot
- ceiling height would be minimum of 25 feet
- pre-engineered metal building
- parking, sidewalks and landscaping included
- footprint, roof slope, ceiling load and specific details TBD
- include limited electrical service sufficient of lighting and limited gas heaters to maintain temps above freezing

He also presented a shell/spec building process/agreement for consideration:

- County/City will provide approximately 6 acres for the spec building
- site will be graded by the county for a 50,000 sf building expandable to 100,000 sf with sufficient parking and truck turnout
- road to the pad will be graded
- all utilities will be run to the building at the expense of the County
- specifications for the building will be agreed upon between the County and the Contractor
- building and land will be owned by the contractor
- Contractor will erect the building per agreed upon specifications
- Contractor and the County will agree on a sales price for the building
- Contractor will be guaranteed a purchase by the county at the agreed upon price if the building does not sell in three years
- County reserves the right to lower the price of the building below the agreed upon sales price but the difference must be paid to the company if the sales price is lowered

- County would have the final decision on approving the sale
- build out for the building would be decided by the buyer but the contractor would have the first discussion with the buyer

Discussion followed. The design and bid process for constructing Pond Road would cost \$30,000.

Consensus by the Board was to move forward.

## **TRANSPORTATION DEPARTMENT ITEMS**

Mr. Wooten introduced the new Transportation Director, Mr. Randall Conley, who officially started on December 1<sup>st</sup> as the Director. He was previously serving as a Managerial Assistant in the Administration office and had been working on the transportation items.

Mr. Conley introduced Ms. Jennifer Baptiste, a NCDOT transportation program consultant, which is working with Mr. Conley on the policies and by-laws.

Mr. Conley presented a list of policies that had already been approved by the state. He requested approval from the Board.

Commissioner Crawford made a motion to approve Transportation Dept. policies, second by Vice Chair McPeters. By unanimous vote, the motion carried.

Commissioner Crawford made a motion to approve all by-laws, second by Commissioner Greene. By unanimous vote, the motion carried.

Mr. Wooten reviewed the required seats on the Transportation Advisory Board:

### Group 1-Serves Initial Three Year Term

MEDA Seat

Foothills Industries Seat -Joy Shuford

Seat 1- Lloyd Cuthbertson

Seat 2 – Sandra Miller

Seat 3 – Available

### Group 2 –Serves initial Two Year Term

McDowell Chamber Seat – Dawna Ledbetter

Seat 4 – Linda Mystic

Seat 5 – Ginger Webb

Seat 6 – Joyce Poplin

Seat 7 – Available

### Board members serving by virtue of their position:

Lisa Sprouse – DSS Director

Weyland Prebor – Senior Center Director

Karyl Fuller – Isothermal Rural Planning Organization Director

Chad Robinson – McDowell EMS Community Paramedic

TBD – McDowell County Commissioner

Vice Chair McPeters made a motion to appoint Commissioner Crawford, second by Commissioner Greene. By unanimous vote, the motion carried.

Commissioner Greene made a motion to approve the Transportation Advisory Board Group 1 and Group 2, second by Commissioner Crawford. By unanimous vote, the motion carried.

### **COURTHOUSE UPDATE**

Chair Walker noted he had met with Chuck Hamrick, Judges Powell and Davis, Asst DA Kent Brown, Clerk of Court, Melissa Adams, and Commissioner Brown. All judicial staff recommended remaining in the courthouse while the construction was taking place. All court cases could be scheduled around when the construction was taken place in the main courtroom.

Mr. Hamrick requested the bid schedule be adjusted to the following:

January 17, 2018 – Advertise construction bids  
February 21, 2018 – Open construction bids  
February 27, 2018 – Public hearing and selection of lowest construction and finance bids  
March 1, 2018 – Deadline to send approval package to LGC  
April 3, 2018 – LGC meets to review financing request  
April 4, 2018 – Earliest construction contract and loan documents could be signed.

Mr. Wooten has asked for an updated estimate on construction costs.

### **SHOOTING RANGE UPDATE**

NC Wildlife's independent contractor conducted a sound test on November 28<sup>th</sup>, the early reports were positive. After receiving the results of the test, NC Wildlife will schedule a public hearing.

### **STACY HILL ROAD WATER INTERLOCAL AGREEMENT**

In order to proceed with the Stacy Hill road Water Project the interlocal agreement with the City of Marion needs to be amended since the master meter needs to be relocated. The agreement with the City of Marion would be for 10 years.

Commissioner Crawford made a motion to approve the Interlocal Agreement for Purchasing Water for the Nebo Water System, second by Commissioner Greene. By unanimous vote, the motion carried.

### **VAYA HEALTH UPDATE**

Mr. Brian Shuping from Vaya Health presented an update on the organization's activities in the county and the region. Vaya Health formed a partnership with two organizations, Trillium Health Resources and Alliance Behavioral Healthcare to have a stronger voice in advancing the role of the public behavioral healthcare system in Medicaid Transformation.

Commissioner Crawford asked about the kiosk located at the library, Mr. Shuping advised he would bring back data at a future Board meeting.

## **GREENWAY PROJECT RESOLUTION**

Mr. Wooten noted Resource Institute had initiated a grant application with Division of Water Resources for \$500,000 to be matched with the Parks and Recreation Trust Fund grant for a total of \$1M in grant funds. The funding would be used to extend the planned greenway at the old county river park another 2,000 feet, and also for stream stabilization. The goal is to bid out as one project. Staff requested approval of the application bid out request to approve grant submission and the resolution. The local match would be \$250,000.

Commissioner Crawford made a motion to approve the *Resolution Approving Submission of McDowell County Division of Water Resources Grant*, and other grant documents, second by Commissioner Greene. By unanimous vote, the motion carried.

## **BLUE CROSS/MISSION HEALTH UPDATE**

Mr. Wooten announced effective December 15<sup>th</sup> Mission Health Services would be in-network again with BCBS. He asked if the Board wanted to go to bid for other insurance carriers to bid for coverage. The bids would go out in the spring for an effective date of July 1, 2018. The Board would make a decision at a later meeting.

## **PERSONNEL POLICY REVISION – FIRST READING**

Human Resources staff requested changes to the Sick and Vacation Leave for Public Works employees. Several staff members work ten-hour days, requiring special consideration for their work schedules, much like EMS and Sheriff's Office employees. This being the first reading, the Board will review the changes and consider them at their next regular session.

## **REQUEST TO AMEND SUBDIVISION ORDINANCE**

Emergency Services asked for assistance from the Planning Board regarding road names in developments. The developments were naming roads and recording plats without first checking the availability of the name with 911 addressing. The Planning Board requested the Board add the following in Article 8: Development Standards:

*Prior to final plat approval on all new roads in new or existing subdivisions in McDowell County, the owner or developer must submit road names to the 911 addressing office for approval. A letter from the 911 addressing center must be submitted to the Planning Administrator before plats will be approved.*

Staff requested to hold a public hearing on the recommendation at the next board meeting.

Commissioner Crawford made a motion to approve a public hearing, second by Vice Chair McPeters. By unanimous vote, the motion carried.

## **FIRE DEPARTMENT INSPECTION FEE WAIVER REQUESTS**

The Hankins-North Fork; Ashford-North Cove; and Crooked Creek Fire Departments are in the process of either renovating or constructing new facilities. All three requested fee waiver of inspection fees for their projects. The total waiver would be from \$1,000-\$1,500 range.

Commissioner Crawford made a motion to approve all three fee waivers, second by Vice Chair McPeters. By unanimous vote, the motion carried.

### **JURY COMMISSIONER COMPENSATION**

Clerk of Court Melissa Adams requested an increase in compensation from \$350 to \$500 for the Jury Commissioners. The total compensation is for the two-year term. The request was due to the additional time needed to find jurors.

Vice Chair McPeters made a motion to approve request in compensation from \$350 to \$500, second by Commissioner Greene. By unanimous vote, the motion carried.

### **ADMINISTRATIVE ITEMS**

Mr. Wooten presented a lease prepared by the Board of Education attorney, reviewed by County Attorney, Fred Coats for the McDowell High School renovation.

Commissioner Greene made a motion to approve the lease, second by Vice Chair McPeters. By unanimous vote, the motion carried.

#### **Budget Amendments**

GF12 EMS and Facility Maintenance: transfer funds between line items

GF 13 Human Services and DSS: transfer funds between line items

GF14 Soil and Water: allocate donated revenue

GF 15 Animal Shelter: allocate donated revenue

GF 16 Sheriff's Department: allocate asset forfeiture revenue

Amendment 911F1: Dept 911 Fund: appropriate fund balance and to transfer the budget between line items

Commissioner Greene made a motion to approve GF12- GF16 and Amendment 911F1, second by Commissioner Crawford. By unanimous vote, the motion carried.

### **TAX MATTERS**

Mr. Wooten presented the following exemptions, releases, refunds, and write-offs:

#### **Releases, Refunds, & Write-offs**

MV tax refunds	\$	800.82
Releases under \$100	\$	244.64
Releases over \$100	\$	468.59
Refunds	\$	523.83
Discoveries	\$	1,868.59
Write-offs	\$	285.03

Unaware of deadline for exemption: William Ray Milovitz and Gary Burns

Vice Chair McPeters made a motion to approve the elderly exemptions and other tax matters, second by Commissioner Crawford. By unanimous vote, the motion carried.

**Citizen Comment**

No one present wish to speak.

**CHRISTMAS/NEW YEAR SCHEDULE**

Mr. Wooten informed the Board members of the county schedule for the holidays. The county will follow the state schedule of closing Monday, 25<sup>th</sup>-Wednesday, 27<sup>th</sup>, and also Monday, January 1<sup>st</sup>.

**GREETINGS FROM BOARD AND STAFF**

Vice Chair McPeters read the Christmas story from the Gospel of Luke. Each Commissioner and staff gave Christmas greetings.

Vice Chair McPeters made a motion to adjourn, second by Commissioner Greene. By unanimous vote, the motion carried.

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DAVID N. WALKER  
CHAIRMAN

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CHERYL L. MITCHELL  
CLERK TO THE BOARD