

**STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL COUNTY
BOARD OF COMMISSIONERS
REGULAR SESSION – DECEMBER 9, 2019**

ASSEMBLY

The McDowell County Board of Commissioners met in Regular Session on Monday, December 9, 2019, at 5:00 p.m., at the County Administration Building, 60 E Court Street, Marion, North Carolina.

MEMBERS PRESENT

David N. Walker; Tony Brown; Barry McPeters; Lynn Greene; and Brenda Vaughn

MEMBERS ABSENT

None

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 Commissioner McPeters, followed by the pledge of allegiance, led by Commissioner Greene.

APPROVAL OF MINUTES

Commissioner McPeters made a motion, second by Commissioner Vaughn, to approve the November 18, 2019 Regular Session minutes, and November 18, 2019 DSS Regular Session minutes as presented. By a vote of 5-0, the motion carried.

APPROVAL OF AGENDA

Vice Chair Brown made a motion to approve the agenda, second by Commissioner Vaughn. By a vote of 5-0, the motion carried.

SELECTION OF CHAIR AND VICE-CHAIR

Chair Walker noted the first item of business required by NCGS 153A-39 was the selection of a Chair and Vice-Chair. Chair Walker turned the meeting over to the Clerk for this purpose.

Ms. Mitchell asked for nominations. Commissioner Greene made a motion for Commissioner Walker to remain as Chair, and Commissioner Brown to remain as Vice Chair, second by Commissioner Vaughn. Commissioner Vaughn made a motion to cease nominations, second by Commissioner McPeters. By a vote of 3-0 the motion passed.

The vote in favor for Commissioner Walker as Chair; and Commissioner Brown as Vice

Chair was 5-0. Commissioner Greene; Commissioner McPeters and Commissioner Vaughn voted in favor. Commissioner Walker and Commissioner Brown did not vote.

Reappointment of Tax Assessor

Ms. Tammy Wylie, Tax Assessor, was originally appointed as Tax Assessor to serve the remainder of the prior Assessor's term, which ends this month. Mr. Wooten recommended the Board reappoint Ms. Wylie.

Vice Chair Brown made a motion to reappoint Ms. Wylie as Tax Assessor, second, second by Commissioner Vaughn. By a vote of 5-0 the motion passed.

Water System Update

Mr. Wooten noted since the completion of the Stacy Hill Road water line, staff had been evaluating areas in Nebo that might be good for future extensions. One area would be north of Nebo Elementary where there are several main roads such as Ned McGimsey and Jack Corpening Road that have density that would be ideal for water service. There are approximately 70 homes in the area. Mr. Wooten requested permission to begin a more in-depth evaluation of the areas with community surveys and cost estimates for water service.

Vice Chair Brown made a motion for staff to move forward with surveys and cost estimates for water service to the area, second by Commissioner McPeters. By a vote of 5-0 the motion passed.

Board Appointments

The Transportation Advisory Committee vacancies were presented as a second reading. One application had been received from Amy Vaughn.

Commissioner Greene made a motion to approve Ms. Vaughn, second by Commissioner McPeters. By a vote of 5-0 the motion passed.

Bridge Name Discussion

During last month's meeting Vice Chair Brown suggested the new bridge on Sugar Hill Road over I-40 be named for Clifford "Ford" Miller. The approved suggestion would then be sent to the City of Marion for their approval since it falls in their jurisdiction. Mr. Wooten noted the item would be discussed at the Utility Committee meeting.

Vice Chair Brown made a motion to name the Sugar Hill Bridge, the Clifford "Ford" Miller Bridge, second by Commissioner Greene. By a vote of 5-0 the motion passed.

Public Shooting Range Update

At the November meeting Gary Gardner with NC Wildlife noted the federal government will cover 90% of the cost to develop the public shooting range on the county's property. The state had asked for donation of all of the property in order to meet the local match, since pulling out one area would be difficult to value. Discussion was held on providing the 10% match in cash instead of property. The total cost estimate of the project is \$2.5M which would put the cost estimate match at approximately \$260,000.

Discussion followed on maintaining ownership of the 200+ acre property.

Commissioner Greene made a motion to make the 10% match in cash, second by Commissioner McPeters. By a vote of 5-0 the motion passed.

Foothills Food Hub/School Food Study

Ms. Molly Sandfoss, Extension Director, introduced Mr. Tracy Childers from the Foothills Community School (FCS). The students gave a PowerPoint presentation on a research project on the topic of food insecurity and health. A copy of the presentation is with the agenda materials.

Since 2016 the school has grown in size to 200 students. It is a project based learning facility based on STEM a curriculum based on the idea of educating students in four specific disciplines — science, technology, engineering and mathematics — in an interdisciplinary and applied approach.

Ms. Heather Edwards, Project Developer with Foothills Food Hub also gave a presentation (copy with the agenda materials). Fifteen farmers attended a farmer's co-op meeting, and requests have come from Rutherford County to find out when the commercial kitchen will be available for use.

Ms. Edwards requested \$25,000 to allow for ground breaking installing drainage pipes; also \$1,000 monthly support to purchase MANNA and local food for agencies and pantries and provide programming support. The Food Hub has a walk-in cooler and a walk-in freezer sitting at the Hub waiting on drainage pipes to be installed.

Chair Walker on behalf of the Board thanked the students and Ms. Edwards for the presentation, and noted the Board will look at the estimates.

Commissioner Vaughn left the meeting at 5:41pm.

Isothermal Regional Transport Plan

Ms. Karyl Fuller of the Isothermal Rural Transportation Planning Organization requested endorsement of a regional transportation planning initiative. She introduced Dominique Boyd, Project Manager with NCDOT to present the Isothermal Regional Comprehensive Transportation Plan (copy with the agenda materials). Per the Steering Committee estimates the population in 2017 was 46,200 and estimated to be 57,700 by the year 2045. The employment estimates in 2017 were 20,200 and estimated to be 26,700 by the year 2045.

After the presentation, request for approval of the following resolution:

Resolution in Support of Socioeconomic Data for the Isothermal Region-Wide CTP

WHEREAS, the county, its municipalities and the Transportation Planning Branch of NC Department of Transportation (NCDOT) are actively working to develop a Region-Wide transportation plan for Polk, McDowell and Rutherford Counties; and

WHEREAS, Isothermal Region-Wide Steering Committee worked with NCDOT to estimate population growth, economic development potential, and land use trends to determine the

potential impacts on the future transportation system in 2045; and the data has been presented and recognized, this body accepts the information as presented; and

NOW THEREFORE, BE IT RESOLVED: that the Isothermal Region-Wide Comprehensive Transportation Plan's socioeconomic data for McDowell County as documented in the memo dated December 9, 2019 be endorsed as a guide in the development of the highway system in McDowell County.

ATTEST:

Cheryl L. Mitchell, Clerk to the Board

David N. Walker, Chairman

Commissioner Greene made a motion to approve *Resolution in Support of Socioeconomic Data for the Isothermal Region-Wide CTP*, second by Vice Chair Brown. By a vote of 4-0 the motion passed.

Courthouse Update

One area of the courthouse renovations that was initially excluded from the renovations was the old District Attorney space on the third floor. The wall paneling was beyond repair. Installation of new electrical and drywall was estimated at \$41,000.

Commissioner Greene made a motion to approve the change order, second by Commissioner McPeters. By a vote of 4-0 the motion approved.

Black Bear Access Area Lease

Mr. John Crutchfield, Director of Public Safety and Planning Division of the Catawba-Wataree Hydroelectric Project, gave a presentation (copy with agenda materials) on a proposed site plan of a day-use area and overnight camping development. Duke Energy would lease land near the Black Bear Access Area to the county. The initial request was for trails and camping cabins. Will have a restroom added to replace a port-a-john currently at the site.

The construction cost would be covered by Duke Energy. The maintenance and any staffing would be covered by the county. Estimated annual operation cost would be in the \$50,000 to \$70,000 range including maintenance and staffing. The county would be able to charge for the camping. Estimated completion date would be by the end of 2022. A copy of the lease proposal is with the agenda materials.

Commissioner Greene made a motion to lease the property and then move forward with development ideas, second by Vice Chair Brown. By a vote of 4-0 the motion passed.

Morris Broadband Expansion Update

Mr. Tony Carter of Morris Broadband, gave a presentation (copy with agenda materials) of the expansion recently provided to their customers. Morris Broadband received funding from the GREAT Broadband grant. The new expansion increased residential internet speed. The total investment from the GREAT Grant was \$757,250 and Morris Broadband \$407,750. The construction is estimated to be complete and available to customers by June, 2021.

McBAT Broadband Initiative

Mr. Chris Revis gave a presentation (copy with agenda materials) from the McDowell Broadband Action Team.

The first step is to complete the Planning & Feasibility Study; the cost for the study would be \$20,000 and would take 120 days to complete. The team is continuing to research funding and partnership opportunities.

Policy Update – Second Reading

Mr. Wooten presented as a second reading the Vacation Policy with clarification of the language so employees know they must work 70% of their last two weeks as well as their last day.

Mr. Wooten also presented as a first reading altering the policy so that employees who leave before their first year anniversary are not eligible for vacation payouts.

Vice Chair Brown made a motion to table the item due to a first reading. Discussion followed. Vice Chair Brown amended his motion to approve the language clarification in the vacation policy and table the timing of 90 days to 12 months, second by Commissioner Greene. By a vote of 4-0 the motion passed.

Administrative Items

Staff had advertised the lease of county property for a cellular tower at Sandy Andrews Park. The family who donated the property has indicated the property was to be utilized for recreational purposes only and the cell tower would not be congruent with their wishes. Therefore, the staff was not seeking approval of the lease.

Vice Chair Brown made a motion to withdraw intent to lease, second by Commissioner Greene. By a vote of 4-0 the motion passed.

Clerk of Court, Melissa Adams, requested compensation for the Jury Commissioners, Brenda Bailey, Leah Robertson, and Larry Lytle for compiling the jury list for the 2019-2021 biennium. The Clerk recommended \$500 be paid to each Jury Commissioner.

Commissioner McPeters made a motion to approve the request, second by Commissioner Greene. By a vote of 4-0 the motion passed.

There were two fee waiver requests from Nebo Water System customers presented:

Linda English	\$28.62
Brittany Hollifield	\$28.41

Vice Chair Brown made a motion to approve the fee waiver request, second by Commissioner McPeters. By a vote of 4-0 the motion passed.

Mr. Wooten presented a resolution for close-out of Resistoflex project fund:

Resolution Close-Out of Project Fund

WHEREAS, the County of McDowell began a project fund (44), for the McDowell County Resistoflex/Project Uplift for facility improvements, and

WHEREAS, the County received a grant funding from the NC Department of Commerce, Rural Building Reuse in the amount of \$250,000, and

WHEREAS, the County completed the project in fiscal year 2019, and

WHEREAS, final payments have been made, and

NOW THEREFORE, BE IT RESOLVED BY THE COUNTY OF MCDOWELL BOARD OF COMMISSIONERS THAT the County of McDowell Resistoflex/Project Uplift project is complete and all documentation will be preserved in county files to comply with recordkeeping requirements.

Adopted this 9th day of December, 2019.

Attest:

Cheryl L. Mitchell, Clerk to the Board

David N. Walker, Chairman

Commissioner McPeters made a motion to approve Resolution Close-Out Project Fund (44), second by Commissioner Greene. By a vote of 4-0 the motion passed.

Budget Amendments

GF 26—Appropriates grant revenue in Emergency Services

GF 27—Appropriates loan process for new vehicles in various departments

GF 28—Appropriates reserved funds for the Library

GF 29—Appropriates reserved funds for Register of Deeds

GF 30—Appropriates tax revenue for the Watershed Dam Repairs

Commissioner Greene made a motion to approve budget amendments GF26 through GF30, second by Commissioner McPeters. By a vote of 4-0 the motion passed.

2020 Meeting Schedule

Mr. Wooten presented the 2020 Board of Commissioner’s meeting schedule, noting the January 20, 2020 DSS Regular Session meeting fell on the MLK Holiday. Suggestion was made to move the meeting to January 27, 2020.

Vice Chair Brown made a motion to approve the 2020 meeting schedule with the DSS meeting moved to January 27th, second by Commissioner Greene. By a vote of 4-0 the motion passed.

Tax Matters

Write-Off	\$ 3,317.17
MV tax refunds	\$ 835.13
Releases under \$100	\$ 53.96
Releases over \$100	\$16,468.74
Discoveries	\$ 168.58

Commissioner Greene made a motion to approve all tax matters as presented, second by Commissioner McPeters. By a vote of 4-0 the motion was approved.

Radon Proclamation

NATIONAL RADON ACTION MONTH IN McDOWELL COUNTY

WHEREAS, radon is a colorless, odorless, radioactive gas that may threaten the health of our citizens and their families;

WHEREAS, radon is the second leading cause of lung cancer in the U.S. and is the leading cause of lung cancer in non-smokers;

WHEREAS, the National Academy of Sciences estimates that up to 21,000 lung cancer deaths occur in the United States each year;

WHEREAS, radon is found in one in 15 homes across the U.S. have elevated radon levels;

WHEREAS, any home may have elevated levels of radon, even if neighboring homes do not, and living in a home with an average radon level of 4 picocuries per liter of air poses a similar risk of developing lung cancer as smoking half a pack of cigarettes a day; and

WHEREAS, testing for radon is simple and inexpensive and radon problems can be fixed;

WHEREAS, McDowell County Board of Commissioners, the U.S. Surgeon General, the U.S. Environmental Protection Agency, the NC Department of Health and Human Services' NC Radon Program and the North Carolina Advisory Committee on Cancer Coordination and Control support efforts to encourage homeowners to test their homes for radon, have elevated levels of radon reduced;

WHEREAS, many residents in McDowell County don't know about radon, yet need to know, for the safety and health of their families and a proclamation of National Radon Action Month is an opportunity to educate individuals on the available measures to reduce radon;

NOW, THEREFORE, the McDowell County Board of Commissioners do hereby proclaim **JANUARY 2020 as National Radon Action Month.**

Attest:

Cheryl L. Mitchell
Clerk to the Board

David Walker
Chairman

Vice Chair Brown made a motion to approve the Radon Action Proclamation, second by Commissioner Greene. By a vote of 4-0 the motion passed.

Resolution Endorsing School Performance Changes

Mr. Wooten presented the following resolution per consensus from the Board at the previous meeting with the School Board:

RESOLUTION ENDORSING CHANGES TO SCHOOL GRADING MEASURES

WHEREAS, in 2013 the North Carolina General Assembly passed the Excellent Public Schools Act to, among other things, measure the performance of public schools; and

WHEREAS, the Act requires each public school to be graded on an A-F scale; and

WHEREAS, the grading is weighted with 80% of the grade based on test results, including end of grade, end of course, graduation rates, and other college/workplace measures; and

WHEREAS, the additional 20% of the weight is based on school growth as measured by the Education Value-Added Assessment System; and

WHEREAS, of the fourteen schools in McDowell County, one received an A grade, four received a B grade, and nine received a C grade; and

WHEREAS, there is a general concern that the current evaluation system places too much weight on high-stakes tests; and

WHEREAS, it has been suggested by local education officials that alternative evaluation methods should strongly be considered by the state when assigning performance grades for public schools.

NOW, THEREFORE, BE IT RESOLVED that the McDowell County Board of Commissioners do hereby request that the NC General Assembly and the NC Department of Public Instruction seek input from educators, parents, and other stakeholders on how to better assess the performance of schools, teachers, administrators, and students.

ADOPTED this day, the 9th of December, 2019.

Attest:

Cheryl L. Mitchell, Clerk to the Board

David Walker, Chairman

Commissioner Greene made a motion to approve the Resolution, second by Commissioner McPeters. By a vote of 4-0 the motion passed.

Citizen Comment

Christy Lewis, Health Coalition—asked for county support to address the food insecurity issues

Ginger Webb—support of Food Hub and establishing a minimum housing ordinance

Gabe Allen, MTCC Student Gov President—in support of Foothills Food Hub

Eileen Droescher—farmer in the county in support of Foothills Food Hub

Greetings from Board and Staff

Mr. Wooten noted the county offices would be closed for the Christmas holidays on December 24, 25, and 26, and January 1, 2020 for New Year's holiday. He added the convenience sites would be open on December 26th.

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

Vice Chair Brown made a motion to adjourn at 7:38pm, second by Commissioner Greene. By a vote of 4-0, the motion carried.

DAVID N. WALKER
CHAIRMAN

CHERYL L. MITCHELL
CLERK TO THE BOARD