

**STATE OF NORTH CAROLINA  
COUNTY OF MCDOWELL COUNTY  
BOARD OF COMMISSIONERS  
REGULAR SESSION – JANUARY 13, 2014**

**ASSEMBLY**

The McDowell County Board of Commissioners met in regular session on Monday, January 13, 2014, at 5:00 p.m., Commission Board Room of the County Administration Building, 60 East Court Street, Marion, North Carolina.

**MEMBERS PRESENT**

Van Randy Hollifield, Chairman; Joseph R. Kaylor, Vice-Chairman; Michael K. Lavender; Barry E. McPeters; and David N. Walker.

**OTHERS PRESENT**

Charles R. Abernathy, County Manager; Carrie J. Padgett, Clerk to the Board; and Ashley R. Wooten, Assistant to the County Manager (Filming).

**CALL TO ORDER**

Commissioner Hollifield called the meeting to order. The invocation was given by Commissioner McPeters, followed by the pledge of allegiance, led by Commissioner Lavender.

**APPROVAL OF AGENDA**

Commissioner Walker made a motion, seconded by Commissioner Kaylor, to approve the agenda as presented. By unanimous vote, the motion carried.

**APPROVAL OF MINUTES**

Commissioner McPeters made a motion, seconded by Commissioner Walker, to approve the November 12, 2013 and December 9, 2013 Regular Session Minutes as presented. By unanimous vote, the motion carried.

**RECOGNITION OF RETIREMENT OF TERRY YOUNG**

The Chairman recognized Terry Young, Director of Emergency Management, who announced his retirement from county service in order to take a job with the State of North Carolina.

Each Commissioner praised Mr. Young for his years of service to the county and wished him well in his new position with the state.

The Chairman reviewed Mr. Young's career accomplishments, and presented him with a plaque recognizing his service.

### **BUDGET UPDATE AND AMENDMENTS**

The County Manager presented an update on the county's expenditures and revenues through this point in the fiscal year.

The County Manager and Finance Officer presented the following budget amendments for the Board's approval:

GF 21 - This amendment transfers \$200,000 from the general fund into the Universal Golden Leaf Project.

GF 22 - This amendment receives Emergency Management reimbursements for emergency calls and the supplies that are used.

GF 23 - This amendment transfers funds in the Register of Deeds budget.

GF 24 - This amendment transfers the funds from the Inmate Housing Revenue to pay for increased housing costs for female inmates.

GF 25 - This is the amendment that is routinely submitted that pays for our tax audits out of the collected revenue.

GF 26 - This amendment makes transfers to cover deficits in the self insurance fund.

GF 27 - This amendment allocates additional DSS revenue.

REVF1 - This amendment appropriates revaluation fund balance for the purchase of the tax assessing vehicle that was discussed during last year's budget process.

UENT2 - This amendment appropriates fund balance and allocates additional revenue from the Universal Lease Revenue to meet the obligations of the Universal Training Center.

Commissioner Walker made a motion, seconded by Commissioner Lavender, to approve budget amendments GF 21-27, REVF1, and UENT2. By unanimous approval, the motion carried.

The Finance Officer also presented a resolution entitled ***RESOLUTION AUTHORIZING DONATION OF PERSONAL PROPERTY TO NON-PROFIT ORGANIZATION*** that would authorize the transfer of a 2001 Ford Crown Victoria to the McDowell County Rescue Squad.

Commissioner Lavender made a motion, seconded by Commissioner McPeters, to approve the property donation resolution. By unanimous approval, the motion carried.

### **TAX SETTLEMENT**

The County Manager presented an overview of the requirement of the tax settlement. The tax settlement covers the period that Phyllis Ryan was tax collector from July 1 to November 30, 2013. The real property collection rate for that period was 63.58% and the motor vehicle collection rate was 57.22%. Mr. Abernathy stated that a separate settlement will occur for the period of December 1, 2013 through June 30, 2014.

Commissioner McPeters motioned, with a second by Commissioner Walker, to approve the tax settlement for the period of July 1, 2013 through November 30, 2013. By unanimous approval, the motion carried.

### **LEASE CONTRACT / ECONOMIC DEVELOPMENT UPDATE**

The County Manager presented an update on the company that has agreed to locate in the Universal building. He presented a list of maintenance items that will need to be completed in order for the tenant to move into the facility.

Commissioner Walker requested that the tenant present a list of changes they would make to the county-owned space, and that the county approve any changes.

The County Manager stated that the lease presented for review had previously been approved by the Board, but he wanted to make sure any changes that staff made were acceptable to the Board.

The County Manager stated that there would be around 60,000 square feet of available space once The Solar Connection were to occupy their space. He added that he is constantly looking for grants to assist with any work that is necessary at the site.

### **FY 2012-13 AUDIT PRESENTATION**

The county's independent auditor Kathy Atkinson from Johnson Price and Sprinkle presented a detailed overview of the county's FY 2012-13 independent annual audit as required by the State of North Carolina.

Ms. Atkinson reviewed changes in this report from the prior year's report. She also reviewed several specific items of interest related to the various funds.

Ms. Atkinson stated that she felt it was a very good audit report. She added that the fund balance percentage was very good as well. She stated that it takes between 500-600 hours to compile the audit. She praised Ms. Morgan and her staff for their cooperation in preparing the report.

The County Manager reviewed several items of interest that he must ensure is done such as making sure contracts are approved by the Board and so forth.

Commissioner Walker motioned, with a second by Commissioner McPeters, to accept the independent audit for FY 2012-13. By unanimous approval, the motion carried.

### **UPDATE ON CLOSING ON HENDRIX PROPERTY / WATER SYSTEM UPDATE**

The County Manager provided an update on the purchase of the future water treatment plant site known as the Hendrix property. He advised that the closing took place at the end of December. The purchase price was under \$200,000 with two payments spread over two fiscal years. The family would be given until the end of March to remove the personal contents from the property.

Mr. Abernathy advised that there are cattle on the property under an agreement with the previous property owners. He stated that staff would draft a written agreement between the county and the owner of the livestock.

In other matters, Mr. Abernathy advised that the county had a grant in hand to assist with the construction of a waterline to serve the Universal building. Mr. Wooten added that once it is determined that the solar company is viable, county staff can initiate the grant.

The County Manager also spoke on interest at the Exit 90 interchange for extending a water line to assist with job creation. He stated that county staff would work with the businesses there to determine if there is a viable project for submission to grant agencies.

Commissioner Walker stated that he was excited about the possibilities of extending water lines to areas that have need. Mr. Abernathy also stated staff had contacted the US Forest Service to ask if they would be able to assist with the extension cost.

Commissioner Lavender stated that he would appreciate staff looking at an estimate for running a line down Stacy Hill Road as well.

### **PUBLIC HEARING PART CATAWBA RIVER TRAIL GRANT**

The Chairman declared the Board into a Public Hearing in order to hear comments regarding the proposed Phase III of the Catawba River Greenway Trail. He recognized the County Manager who presented an overview of the planned development of the greenway.

The county's grantwriter Chris Amsbary presented an overview of the application process and the award process. She stated that the preliminary budget was around \$1.2 million. She also reviewed several of the amenities that would be planned for the trail. One of the amenities would be a dog park. The Chairman asked Ms. Amsbary to explain to the Board and the public exactly what a dog park is and what the design would be like.

Commissioner Lavender mentioned that Wildlife Resources would be interested in contributing to some site development in the region, possibly at the river park.

The County Manager reviewed some additional planned amenities such as signage that would present information about the Carson and McDowell families. He also suggested that the school system would be a possible partner in the project due to their interest in expanding recreational opportunities.

Walt Bagwell of the Marion Rotary Club spoke in favor of the project and stated that his club would be willing to contribute financial assistance to the project.

Bill Hendley of the McDowell Trails Association stated that his organization was behind this project and had worked very hard to obtain the easements and shared in some of the survey costs. Frank Dean also of the MTA stated that the connection between the Carson House and the McDowell House would make this trail unique.

Commissioner Walker and the Chairman praised all of the partners that have been working on the application.

Commissioner McPeters motioned, with a second by Commissioner Walker, to go out of public hearing. By unanimous approval, the motion carried.

Commissioner Walker motioned, with a second by Commissioner McPeters, to authorize the submission of the PARTF grant application. By unanimous approval, the motion carried.

Commissioner Lavender motioned, with a second by Commissioner McPeters, to authorize the trail to cross county property. By unanimous approval, the motion carried.

The County Manager stated that the initial budget projection would be \$500,000 PARTF, \$500,000 local, with \$200,000 of other grant funds. He has had discussions with the city manager about their contribution to the project. He suggested that the county look at budgeting \$80,000 over three years and the city contributing \$40,000 a year over the same period.

A general discussion of the match followed.

The Chairman noted that he had observed extensive use of the Catawba River Greenway and he felt that this phase would be used by many folks as well.

Commissioner Lavender motioned, with a second by Commissioner Walker, to authorize the \$500,000 match, and ask that the County Manager ask the City of Marion or other agencies to contribute whatever they see fit as part of that match, and that the county make up any difference so that the match is met.

Commissioner Walker asked for a clarification on the match. The County Manager suggested showing a local match of \$240,000 county, \$120,000 city, and stating the balance as other grants. Mr. Lavender agreed to the County Manager's suggestion.

By unanimous approval, the motion carried.

### **ECO PARK AND GREEN COMMUNITY**

The County Manager recognized Tim Padgett and Dan Shaffer from North Carolina Renewable Energies. He stated that these gentlemen were interested in a green community designation for McDowell County.

Mr. Shaffer stated that his group was looking for authorization to allow the use of county property for green technology. They were also asking that the Board authorize McDowell County as a community, and to designate the former landfill site as an eco industrial park, which would allow his company to be eligible for grant funds and tax credits.

Mr. Padgett provided a general outline of the planning that has taken place. He stated that they are not asking for any county funds, only the designation as a green community and the eco industrial park.

A general discussion of the tax credits and the benefits to the company and the county followed.

Commissioner McPeters motioned, with a second by Commissioner Walker, to designate the former landfill as an eco industrial park. By unanimous approval, the motion carried.

### **KATE B. REYNOLDS GRANT UPDATE**

The County Manager stated that bids were received for the work to be done at the Recreation Center including a new floor, bleachers, and goals. GEM Construction of Marion was the low bidder. The work would be concluded in approximately 45 days.

Mr. Abernathy stated that once the work is complete, there would be additional programming at the facility including volleyball and expanded open gym hours.

Commissioner Lavender expressed a desire for a website that listed recreation programs. He suggested that the department develop a site that would be easily accessible by the public.

The Chairman brought attention to several initiatives that have been assisted by the Kate B. Reynolds Foundation, and thanked them for their assistance with these programs.

A general discussion of the cooperative nature of the KBR process followed.

### **CITIZEN COMMENT**

No one from the public requested to speak.

## **REGIONAL PLANNING ORGANIZATION APPOINTMENT**

The County Manager stated the Regional Planning Organization (RPO) housed at Isothermal Planning is looking for a county representative for the organization that makes transportation recommendations for the region to NCDOT.

Commissioner Lavender motioned, with a second by Commissioner Walker, to appoint Commissioner Kaylor as the county's representative to the RPO. By unanimous approval, the motion carried.

## **TAX MATTERS**

The monthly listing of tax releases and refunds were presented for the Board's approval. In summary they were:

Releases Under \$100.00	Released amount of \$260.38
Releases Over \$100.00	Released amount of \$11,731.74
Motor Vehicle Releases Under \$100.00	Released amount of \$1,051.29
Motor Vehicle Releases Over \$100.00	Released amount of \$555.30
Release Refunds	Refunded amount of \$1,825.18

The NCVTS Pending Refund report showed a refund total of \$2,346.26.

Commissioner Lavender made a motion, seconded by Commissioner Walker, to approve the tax releases and refunds as presented. By unanimous approval, the motion carried.

## **CLOSED SESSION/DSS POSITION**

The Chairman stated that the Board would enter closed session under the auspices of North Carolina General Statute 143A-311 to discuss the appointment of the DSS Director.

Commissioner Kaylor motioned, with a second by Commissioner Walker, to go into closed session to discuss the appointment of the DSS director. By unanimous approval, the motion carried.

During the closed session, the Board discussed the recommendations for the DSS director as put forward by the County Manager and came to a consensus to appoint Lisa Sprouse as director once in open session.

Commissioner Walker motioned, with a second by Commissioner Lavender, to return to open session. By unanimous approval, the motion carried.

At the conclusion of the closed session, the County Manager made a recommendation that the Board hire Lisa Sprouse as the DSS director.

Commissioner Kaylor motioned, with a second by Commissioner Lavender, to name Lisa Sprouse as the DSS director. By unanimous approval, the motion carried.

Commissioner Walker praised all three candidates who were interviewed for the position.

### **REPORTS AND COMMUNICATIONS**

The County Manager informed the Board that the Senior Interviews Premiere would be on the evening of January 30.

### **ADJOURNMENT**

There being no further business to transact at this time, upon motion by Commissioner Kaylor and a second by Commissioner Walker, the meeting was adjourned.

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VAN RANDY HOLLIFIELD  
CHAIRMAN

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ASHLEY R. WOOTEN  
DEPUTY CLERK TO THE BOARD