

**STATE OF NORTH CAROLINA  
COUNTY OF MCDOWELL COUNTY  
BOARD OF COMMISSIONERS  
REGULAR SESSION – JANUARY 8, 2018**

**ASSEMBLY**

The McDowell County Board of Commissioners met in regular session on Monday, January 8, 2018, 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; Tony Brown; Matthew Crawford, and Lynn Greene.

**OTHERS PRESENT**

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

**CALL TO ORDER**

Chair Walker called the meeting to order. The invocation was given by Commissioner Brown, followed by the pledge of allegiance, led by Commissioner Greene.

**APPROVAL OF MINUTES**

Commissioner Greene made a motion, second by Commissioner Crawford, to approve the December 11, 2017 Regular Session minutes, and December 20, 2017 Called Session minutes as presented. By unanimous vote, the motion carried.

**APPROVAL OF AGENDA**

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

**ROTARY PRESENTATION OF AED DEVICES**

Mr. Steve Pierce, President of the Rotary Club of Marion, noted the club would address health and wellness in McDowell County as this year's initiative. The club purchased three Automated External Defibrillators (AED) devices for the county. The devices will be placed at the Recreation Center, the Marion Public Library, and the Old Fort Public Library. Emergency Services personnel will train the staff at the locations for using the units in case of an emergency. The club asked the county to take responsibility for the maintenance costs of the units. Estimated cost of \$165 spread over 2-5 years.

Chair Walker thanked Mr. Pierce and the Rotary Club for the donation and the work the club does in the community.

Commissioner Brown made a motion to approve the donation and the county maintaining the maintenance cost, second by Commissioner Greene. By unanimous vote, the motion carried.

**ADMINISTRATIVE ITEMS**

Mr. Wooten presented a request from Randy Arrowood for his badge and to purchase his sidearm since he was retiring as a deputy with the Sheriff's Department.

Commissioner Crawford made a motion to approve *Resolution Authorizing Sale of County Owned Property*, second by Commissioner Greene. By unanimous vote, the motion carried.

Mr. Wooten presented an adjustment for \$112.90 due to a water leak due to malfunctioning toilet at an individual's home. The customer had corrected the issue.

Vice Chair McPeters made a motion, second by Commissioner Greene, to grant the request for the adjustment of \$112.90. By unanimous vote, the motion carried.

Mr. Wooten presented two Project Budget Ordinance Amendment for Universal Water Line, and Ethan Allen Building Reuse and three Project Closeout Resolutions for 1) Old Fort Ball, Stream and Trail Project; 2) EPA Lake James; 3) McDowell High School for approval.

Commissioner Crawford made a motion to approve all Project Closeout Amendments and Resolutions, second by Vice Chair McPeters. By unanimous vote, the motion carried.

**Budget Amendments:**

GF 17 – Records the receipt of donated equipment from the state for Emergency Services

GF 19 – Allocates additional funding and transfer between line items in Emergency Services

GF 20 – Transfers funds to the Universal Water Line Project

SP2 – Amends the School Project Fund for various school projects

ENT1 – Allocates grant revenue and interest income for the Waste Enterprise Fund

UENT1 – Amends the Universal budget to transfer funds to the Universal Water Line Project

SI1 – Allocate revenues to cover self-insurance claims.

Vice Chair McPeters made a motion to approve GF 17; GF 19 – GF 20; SP2; ENT1; UENT1; SI1, budget amendments as presented, second by Commissioner Greene. By unanimous vote, the motion carried.

**TAX MATTERS:**

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

Refunds	\$ 3,868.56
MV tax refunds	\$ 419.19
Releases over \$100	\$ 198.12
Discoveries	\$ 2,075.80

Commissioner Crawford made a motion, second by Vice Chair McPeters to approve all tax matters. By unanimous vote, motion carried.

**ROAD PAVING BOND**

Per the Subdivision Ordinance, the developer of Big League Camp at Lake James posted a performance bond for the roads. Once the roads pass inspections, the funds will be released to the developer.

Chair Walker noted the great potential in this subdivision and the many opportunities it holds for the county.

Commissioner Brown made a motion to approve the performance bond, second by Vice Chair McPeters. By unanimous vote, the motion carried.

### **EVENT CENTER PRESENTATION**

Steve Bush, Director of Chamber of Commerce, presented a proposal to lease approximately 15,000sf in the former RockTenn building for various community events. The Chamber would contribute \$125,000 to build out the space. The Chamber asked the county for \$20,000 over ten years to assist with rent and utilities. He noted the City of Marion had signed a letter of intent to provide \$15,000 over the next ten years. He noted the center would be known as MEC (Municipal Event Center). All partners would be paying over ten years, with Chamber paying upfront. There would be boat shows, MACA productions, Fire College, and potential of high school prom in 2019. It is estimated to hold 2,000 people.

The owners of the property, Miller Realty Development LLC, will be onsite and scheduling events for the center.

Mr. Chad Marsh, VP of GEM Construction and Miller Realty and Development LLC, added the center will be a first class event center. He added there will be several businesses including a skating rink, martial arts, sit-down restaurant, sandwich and deli restaurant, dessert restaurant, salon, retail stores 800 to 3,000 sq ft, realty office and staffing office. There is also 20,000 sq ft of storage on lower level.

Chair Walker noted he was excited to see the collaboration between government and different organizations.

Commissioner Crawford made a motion to submit a letter of intent to support the event center, second by Commissioner Greene. By unanimous vote,

### **SUBDIVISION ORDINANCE PUBLIC HEARING**

Chair Walker declared the Board in Public Hearing according to NCGS 153A-323 for the purpose of adopting an amendment to the Subdivision Ordinance.

Mr. Ronald Harmon noted Emergency Services had approached him that new subdivisions were naming roads without coming to see if the road name already existed. After reviewing the ordinance the Planning Board made the following recommendation:

Subdivision Ordinance  
Article 8

- A. Prior to final plat approval on all new roads in new or existing subdivisions in McDowell County, the owner or developer must submit roads 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.

Comments from the public: There were none.

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

Commissioner Brown made a motion to approve the amendment, second by Commissioner Greene. By unanimous vote the motion carried.

### **AUDIT PRESENTATION**

April Westmoreland, Senior Manager, with Johnson Price and Sprinkle, presented a detailed overview of the county's FY 2016-17 independent annual audit as required by the State of North Carolina.

Ms. Westmoreland reviewed several specific items of interest related to the various funds. She stated that she felt it was a very good audit report. She added the fund balance percentage was healthy and stable as well, noting the State of NC monitors the percentage and like to see it at least 8%. The fund balance was 22.31%. The LGC had approved the audit.

Vice Chair McPeters made a motion, second by Commissioner Crawford to approve the audit as presented. By unanimous vote, the motion carried.

Chair Walker spoke on the excellent job Ms. Bell and her staff does each and every year. He also expressed his appreciation to JPS.

### **TRANSIT DEPARTMENT UPDATE**

Mr. Wooten noted the Transportation Advisory Board (TAB) will hold their first board meeting on January 24<sup>th</sup>. He added there are still two vacancies on the board. Staff is awaiting final budget numbers from NCDOT, while preparing budget numbers for the department for the upcoming year.

Chair Walker encouraged interested parties to apply for the TAB, and the Clerk commented the application forms were available on the county website.

### **SHOOTING RANGE UPDATE**

NC Wildlife Resources (NCWR) met with the independent sound testing company, and were told the test were positive for approval of the site. NCWR is looking at the week of February 5<sup>th</sup> for a public meeting. Details of location and time will be shared with the Board, when they are known.

### **COURTHOUSE PROJECT UPDATE**

The project is to be sent out to bid on January 17<sup>th</sup>, with the opening of bids on February 21<sup>st</sup>. The goal is to be on the Local Government Commission agenda in April.

### **STACY HILL ROAD WATER LINE UPDATE**

Mr. Wooten noted staff is waiting on EPA to approve the bid specs on the project. Upon approval the project will go to bid, and staff will need to obtain a couple of easements. Anticipating a February opening of bids, with a six month construction estimate.

### **PERSONNEL POLICY (SECOND READING)**

Staff requested changes to the Sick and Vacation Leave Policy for Public Works employees. This is the second reading for the policy changes:

*Section 2. Vacation Leave*

e) (1) Sheriff Department, Emergency Medical Service (EMS), and Public Works employees shall be deducted for each hour of vacation leave taken. EMS emergency employees shall be deducted to a maximum of sixteen hours per shift taken. Public Works employees hired to work a 10 hour shift shall take 10 hours per shift, not to exceed 40 hours.

*Section 3. Sick Leave*

c) (1) Sheriff Dept employees shall be deducted a maximum of twelve (12) hours per shift and the EMS employees shall be deducted for each hour sick leave taken. EMS employees shall be deducted to a maximum of sixteen (16) hours per shift taken. Public Works employees hired to work 10 hours per shift shall deduct 10 hours, not to exceed 40 hours.

Commissioner Greene made a motion to approve sick and vacation leave policy, second by Vice Chair McPeters. By unanimous vote, the motion carried.

### **REPORTS AND COMMUNICATIONS**

Mr. Wooten stated the Board had been invited to a MLK breakfast this Saturday, January 13<sup>th</sup>, at the Community Building at 8:30am. He also shared an invitation the Board had received to the Martin Luther King, Jr. program at Addie's Chapel, at 11am on Monday, January 15<sup>th</sup>. He also noted county facilities would be closed on Monday, January 15<sup>th</sup> for Martin Luther King holiday.

### **PUBLIC COMMENT**

Ginger Webb and Dawna Ledbetter spoke about the East and West Marion Community Forums, and would like to see the Commissioners attend the forums

Treavor Bingham- spoke on broadband issues in the county

### **ADJOURNMENT**

There being no further business to transact at this time, upon motion by Commissioner Crawford, second by Commissioner Greene, the meeting was adjourned.

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DAVID N. WALKER  
CHAIRMAN

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CHERYL L. MITCHELL  
CLERK TO THE BOARD