

**STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL COUNTY
BOARD OF COMMISSIONERS
REGULAR SESSION – JULY 8, 2019**

Assembly

The McDowell County Board of Commissioners met in Regular Session on Monday, July 8, 2019, at 5:00 p.m., at the County Administration Building, 60 East Court Street, Marion, North Carolina.

Members Present

Tony Brown, Vice-Chair; Barry McPeters; Lynn Greene; Brenda Vaughn

Members Absent

David N. Walker, Chair

Others Present

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

Call to Order

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

Approval of Minutes

Commissioner Vaughn made a motion, second by Commissioner McPeters, to approve the June 6, 2019 Budget Request and Presentation, June 10, 2019 Regular Session, June 17, 2019 DSS Regular Session, and June 28, 2019 Recessed Session minutes. By a vote of 4-0, the motion carried.

Approval of Agenda

Vice Chair Brown called for any additions or deletions to the agenda. Mr. Wooten requested to add an item from the Sheriff's Dept. under New Business: Administrative Items.

Commissioner Greene made a motion to approve the agenda with the addition, second by Commissioner Vaughn. By unanimous vote, the motion carried.

Recognition of Courthouse First Responders

EM Deputy Director, Craig Walker, gave an update on an electrical fire that happened in the basement of the courthouse. He noted one minute after the call was placed to 911, the Marion Fire Dept responded to the call. Marvin Hancock, EM employee saw smoke coming out of a window behind a bush on the courthouse lawn and called 911. Due to the quick response the fire was contained to one room with minimal damage. Each Commissioner, Mr. Terry DePoyster, Public Service Director, and County Manager, Ashley Wooten, gave their appreciation to the responders from the following departments: Marion Fire Dept; Glenwood Fire Dept; PG Fire Dept; Nebo Fire Dept; Hankins Fire Dept; Woodlawn Fire Dept; McDowell Rescue Squad; McDowell EMS; McDowell Sheriff's Dept; and Marion Police Dept.

Recognition of Tiawana Ramsey

EM Deputy Director, Craig Walker, introduced Ms. Tiawana Ramsey, Area Director with NCEM, for recognition of her 30 year career with NC Emergency Management.

RESOLUTION of APPRECIATION for MS.TIAWANA RAMSEY

WHEREAS, Ms. Tiawana Ramsey began her career in NC Emergency Management on November 28, 1988 as Secretary IV; and

WHEREAS, Ms. Ramsey later became an Administrative Assistant I on September 1, 1998; and

WHEREAS, on January 1, 1999, Ms. Ramsey became an Emergency Management Planner specializing in Earthquakes; and

WHEREAS, on July 1, 2007 to the present, Ms. Ramsey has served as the Area 12 Coordinator serving the following counties of Ashe, Avery, Caldwell, McDowell, Mitchell, Watauga, and Yancey; and

WHEREAS, Ms. Tiawana Ramsey has been instrumental in assisting McDowell Emergency Management in meeting their annual requirements for obtaining Emergency Management Performance Grant funding; and

WHEREAS, Ms. Ramsey has assisted McDowell Emergency Management during multiple disasters and high impact events, including winter storms, wildfires, hazardous material incidents, and most recently the floods of 2018.

NOW, THEREFORE, BE IT RESOLVED that the McDowell County Board of Commissioners do hereby express their appreciation to Ms. Tiawana Ramsey for the hard work, dedication and years of support for McDowell Emergency Management; and congratulations on her retirement of 30 years of dedicated public service with North Carolina Emergency Management.

Adopted this day, the 8th of July, 2019

Attest:

Tony G. Brown, Vice Chairman
McDowell County Board of Commissioners

Cheryl L. Mitchell
Clerk to the Board

Commissioner Greene made a motion to approve *Resolution of Appreciation for Ms. Tiawana Ramsey*, second by Commissioner Vaughn. By a vote of 4-0 the motion passed.

Board Appointments

The Planning Board received one application from Tommy Stamey for the one vacant seat as a second reading.

The McDowell Tech Board of Trustees received four applications for the one vacancy, and was presented as a second reading: William Bach; Corey MacKinnon; Harriett Thomas; Roger Wesley

The Jury Commission received two applications as a second reading from Larry Lytle and Zach Wallace for the one vacancy; and also presented as a second reading.

By a unanimous written vote of 4-0 the following were appointed:

Tommy Stamey- Planning Board
 William (Bill) Bach- MTCC Board of Trustees
 Larry Lytle – Jury Commission

The Clerk presented a request from the NC Association of County Commissioners requesting a voting delegate at the Annual Conference of NCACC to be held in Guilford County on August 22-24.

Commissioner Greene made a motion for Commissioner Vaughn to be the NCACC Voting Delegate at the NCACC Annual Conference August 22-24, 2019, second by Commissioner McPeters. By a vote of 4-0 the motion passed.

Administrative Items/Policy Revisions

Mr. Wooten presented three resolution requests from the Sheriff's Dept. The first request was to trade-in fifty-one (51) duty firearms to Craig's Firearms to equip the department with new Glock Model 45, 9mm handguns. The cost differential by switching to the 9mm would allow for more firearms training and range time to the staff. The trade-in would also help to offset the cost and purchase of the new Glock Model 45 that would also be purchased from Craig's Firearms.

The second resolution request was to sell fifty-nine (59) firearms that had been confiscated or seized and were deemed unusable. The firearms would be sold to Craig's Firearms and the proceeds used for the future purchase of duty firearms for the McDowell County Sheriff's Dept.

The third resolution request was the sale of .357 Sig ammunition by the McDowell County Sheriff's Dept. to the Marion Police Dept. There were 5,000 rounds of Speer Gold Dot 125 Grain, and 10,000 rounds of Speer Lawman 125 Grain Full Metal Jacket. The Marion Police Dept. would purchase the .357 ammunition for \$4,500.

Commissioner Greene made a motion to approve all three (3) Resolution requests, second by Commissioner Vaughn. By a vote of 4-0 the motion passed. Copies of the three Resolutions are attached.

Mr. Wooten presented a request from the Finance Director recommending the "**Financial Monitoring and Accounting Segregation of Duties Policy**" be changed to require firms/persons requesting electronic payment of funds present the request in person. The following paragraph was added under Accounts Payable:

Vendors may request payment via EFT/ACH. This request will only be granted if the following criteria are met:

- 1. The vendor personally appears before a department head or Finance Department staff member.*
- 2. A completed EFT/ACH form, along with an original cancelled check, must be given to the department head or Finance Dept staff member.*

Requests received by email or fax will not be accepted and processed.

Commissioner Vaughn made a motion to approve policy revision effective on this date, second by Commissioner McPeters. By a vote of 4-0 the motion passed.

Mr. Wooten presented an updated salary pay plan for review and approval. Several position titles had been added, and the starting pay for each position had been adjusted for the recent pay adjustment.

Commissioner Greene made a motion to approve the pay plan effective July 16, 2019, second by Commissioner McPeters. Discussion was held for clarification that new hires would not start out higher than veteran employees. Mr. Wooten assured the Board that would not be an issue. By a vote of 4-0 the motion passed.

Mr. Wooten presented a Nebo Water System fee waiver request from Barry and Elleen Smith for \$106.05.

Commissioner McPeters made a motion to approve the request of \$106.05, second by Commissioner Vaughn. By a vote of 4-0 the motion passed.

Mr. Wooten presented a list of EMS accounts that were non-collectible and requested they be written-off. The accounts totaled \$69,650.49.

Commissioner Greene made a motion to approve all the EMS write-offs totaling \$69,650.49, second by Commissioner McPeters. By a vote of 4-0 the motion passed.

Planning Department Updates

Mr. Ronald Harmon, Planning Director, gave an update on the Planning Board activities.

Subdivision Ordinance

The Planning Board voted at their June meeting to change the Subdivision Ordinance Major and Minor subdivision distinctions. Currently the ordinance states any Minor configuration of 3-20 lots; and Major is 21 lots and over. The Board voted that Minor would be 2-10 lots; and Major would be 11 and greater. Mr. Harmon noted as development continues to grow, changing the subdivision distinctions would enable staff to make sure every item is being followed per the ordinance. Also, recommendation would be the review fee would be \$10 per lot for the Minor; and \$400 review fee for a Major that the review would go before the Planning Board. The Planning Board requested the Commissioners hold a public hearing to change the ordinance.

Commissioner Greene made a motion to set a public hearing to change the Subdivision Ordinance, second by Commissioner Vaughn. By a vote of 4-0 the motion passed.

Lake James Ordinance

Currently there are three Lake James Ordinances; the Planning Board has been looking to unify the ordinances into one working ordinance document. Mr. Harmon noted the Planning Board is working on a rough draft, and hopes to have a completed document to present to the Commissioners in a couple of months.

Panhandling Ordinance

Mr. Fred Coats, County Attorney, noted unless there was a serious safety problem with panhandling in the county, he would not advise adopting an ordinance against panhandling. He noted it was a form of free speech and could not be regulated by the County or City.

Commissioner Greene noted that NCGS 20-175 (b) covers the panhandling issue.

Commissioner Greene made a motion to table the item, second by Commissioner Vaughn. By a vote of 4-0 the motion passed.

Fonta Flora Trail

Mr. Wooten noted the county was making great progress on lining up funding for the middle section of the Fonta Flora Trail. The McDowell Trails Association (MTA) recommended the inclusion of two additional DOT TIP Fonta Flora submissions for future inclusion in the current round of requests that are underway:

- 1) Recommend the County Commissioners endorse a future inclusion that would be titled Fonta Flora State Trail request. This is identified as the section of trail from the McDowell House to the Burke County line. The request would be made for the amount of \$1.3M in state funding.
- 2) The second section of the TIP request is from Curtis Creek to the end of Point Lookout in Old Fort. The amount requested would also be \$1.3M. It was suggested the Town of Old Fort make the same request in support of the inclusion.

Commissioner Vaughn made a motion to endorse the inclusion, second by Commissioner Greene. By a vote of 4-0 the motion passed.

Property Revaluation Update

Tim Cain, Project Manager, gave an update on the revaluation process. He noted the Board of Equalization and Review had adjourned with all appeals being heard, and tax bills would go out soon. He suggested revaluation be moved to every four years instead of the current eight year cycle. The majority of counties in the state are going to a shorter than eight year cycle. Ms. Tammy Wylie, Tax Assessor, noted in planning for the next revaluation cycle there had not been an accurate measure of every parcel in over 30 years. If approved the next revaluation would be in 2023. Tax Assessing would need to do significant field work to look at every parcel in the county before the next revaluation. Mr. Cain submitted a proposal to do the additional field work for \$523,000 or \$17.00 per parcel.

Commissioner McPeters noted in his 15 years of serving on the Board, there had been discussion of moving to a four year revaluation to eliminate the sticker shock of an eight year revaluation.

Commissioner Greene made a motion to go to a four year cycle with the necessary field work to do the revaluation, second by Commissioner McPeters. By a vote of 4-0 the motion passed.

Tax Matters

Releases

MV tax refunds	\$ 444.29
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Commissioner McPeters made a motion to approve the releases, second by Commissioner Greene. By a vote of 4-0 the motion passed.

Greenway Phase III Update

Mr. Wooten gave an update on the Phase III Greenway which is nearing completion. A ribbon cutting will be planned when phase is completed. McDowell Trails Association has requested the county to regulate a leash law for dogs. Staff will look into if this should be done through an ordinance.

Shooting Range Update

Mr. Gary Gardner, NC Wildlife Project Coordinator for the proposed shooting range noted in an email there is still work being done on the financing end of the project. He also advised in the email that HB 1222 was signed by the President which allows WSFR grants funding match for shooting ranges

from 75/25 to a 90/10 match. This would allow the value of the property transfer to go a lot further in the funding process.

Water System Planning

Mr. Wooten noted staff will start meeting with McGill Associates to resume the Lake James Water Intake project. Also, staff would like to find a firm to help with the grant writing, design, permitting, etc on future waterline extensions in Nebo.

Citizen Comment

There were none.

Commissioners/Staff Reports and Communications

There were none.

Adjournment

There being no further business to transact at this time, upon motion by Commissioner McPeters and a second by Commissioner Vaughn, the meeting was adjourned at 6:07pm.

TONY G. BROWN
VICE-CHAIRMAN

CHERYL L. MITCHELL
CLERK TO THE BOARD