

**STATE OF NORTH CAROLINA  
COUNTY OF MCDOWELL COUNTY  
BOARD OF COMMISSIONERS  
REGULAR SESSION – MARCH 13, 2017**

**ASSEMBLY**

The McDowell County Board of Commissioners met in regular session on Monday, March 13, 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; Tony Brown; Matthew Crawford, and Lynn Greene.

**OTHERS PRESENT**

Ashley Wooten, County Manager, Cheryl Mitchell, Clerk to the Board; Theresa Strickland, Public Information Technician (Filming)

**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 Crawford made a motion, second by Commissioner Brown, to approve the February 13, 2017 Regular Session; February 24, 2017 Special Session; February 27, 2017 Adjourned Session; and March 3, 2017 Special Session minutes as presented. By unanimous vote, the motion carried.

**APPROVAL OF AGENDA**

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

**RECOGNITION**

Mr. Chad Ray, 4-H Extension Agent, introduced several outstanding 4-Hers for their recent accomplishments.

Those recognized were:

James Bryan-----4-H Young Guns

Molly Anderson-----4-H Livestock Judging

John Eric Ellis-----4-H Livestock Judging

Hannah Ellis-----4-H Livestock Judging

Skylar Murray-----4-H Livestock Judging

Shelby Unks-----4-H Ride It! Club

Ella Gragg-----4-H Ride It! Club

Izora Graff-----4-H Ride It! Club

Eva Pool-----4-H Ride It! Club

Katelen Browning---4-H Ride It! Club

Chair Walker and the Board congratulated the youth and presented certificates to each one.

### **WATER SYSTEM OVERVIEW**

Mr. Wooten presented an overview of the water system, and noted the Harmony Grove Road water line extension had been completed. He suggested the Board have a workshop on Monday, April 24<sup>th</sup> at noon, to meet with the engineer to discuss future growth of the system. The engineer would also give an update on the reclassification/water intake permitting process.

### **GREENWAY TRAIL UPDATE**

Mr. Wooten noted the county had received a Part F grant, and also a Recreational Trails Program grant this past year. The intent is to meet with state staff soon and advertise for designers and engineers and get the design process completed. He estimated construction could start at the end of summer. He added Mr. Ronald Harmon, Asst. County Manager and Planning Director would lead the project with assistance from Mr. Randall Conley.

Chair Walker expressed the Board's appreciation to the county staff, as well as the McDowell Trails Association for all their work, and bringing ideas of how to fund the project.

### **ADMINISTRATIVE ITEMS**

Mr. Wooten presented an adjustment for \$211.25 for a water leak, and \$55.00 due to a posting error in the Nebo Water System.

Vice Chair McPeters made a motion, second by Commissioner Crawford, to grant the request for the adjustments. By unanimous vote, the motion carried.

Mr. Wooten also presented a request from the Housing Office to waive the tipping fee for cleaning out of a disabled person's home. Volunteers were doing the cleaning and the hauling was also being donated.

Commissioner Greene made a motion, second by Vice Chair McPeters to grant the waiver of tipping fees. By unanimous vote, the motion carried.

Mr. Wooten presented a request to adjust the EMS fees to match the Medicare rates.

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

### **BUDGET AMENDMENTS**

Mr. Wooten presented a list of project ordinances for approval:

Project Budget Ordinance for Commerce Fellows Grant  
 Project Budget Ordinance Amendment for Jail/Courthouse Project  
 Project Budget Ordinance Amendment for Harmony Grove Road Water Project

Commissioner Crawford made a motion, second by Vice Chair McPeters to approve the Project Budget Ordinances.

Mr. Wooten presented a list of budget amendments:

GF 31- Amends salary and benefit line items and fund balance for health insurance program

GF 32- Transfer funds to workers comp from unemployment insurance line items

GF33- Allocates additional revenue in the Register of Deeds department

GF 34- Allocates additional revenue in the Senior Center budget

GF 35- Allocates additional revenue to various line items

GF 36- Allocates additional federal revenue in the DSS budget

GF 37- Appropriates fund balance for the Universal and Jail/Courthouse projects

GF 38- Transfer between line items and appropriates additional revenue in Emergency Services

GF 39- Transfers between line items in the Sheriff's budget

SP 2- Appropriates sales tax revenue for the MHS Phase 2 project

911 F3- Transfer between line items and appropriates fund balance in the 911 fund

UENT 1- Transfers funds from the general fund to the Universal enterprise fund for building improvements

SI 1- Allocates funds to cover self-insurance claims

Vice Chair McPeters made a motion to approve GF 31 – GF 39, SP2; 911 F3; UENT1; and SI- 1 budget amendments as presented, second by Commissioner Crawford. By unanimous vote, the motion carried.

### **BUDGET PROCESS UPDATE**

Mr. Wooten advised he had been meeting with the department heads in regards to their budget request, and hoped to have the last meetings by the first of April. He will present the budget before the May 8<sup>th</sup> Commissioners meeting, and hold a public hearing at the June 12<sup>th</sup> Regular Session meeting.

### **SEWER EXTENSION AGREEMENT**

Mr. Wooten presented a sewer extension agreement for the new development along I-40 and the county property on NC 226S. The city has proposed extending a sewer line to the road entrance on NC 226 and the developer would construct the rest of the infrastructure on their site. The estimated cost for the sewer line is \$293,300, and the City of Marion is submitting an application requesting \$120,000 from the Rural Economic Development Division that requires a 5% match. The city/county cost share match would be \$86,650. Staff recommendation was to spread the payment over a two year period. The county animal shelter and facility maintenance building would benefit from the sewer extension.

Commissioner Brown stated strengthening the infrastructure in the county was a plus, and would add jobs to the county.

Commissioner Crawford made a motion to approve the \$86,650 for the sewer line spread over two years, second by Commissioner Brown. By unanimous vote the motion carried.

## **TAX MATTERS**

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

Refunds	\$ 1,406.42
MV tax refunds	\$ 1,143.67
Releases under \$100	\$ 92.74
Releases over \$100	\$ 6,347.74
Discoveries	\$ 5,329.68
Write-offs	\$ 1,250.38

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

Commissioner Brown noted the NC County Tax Collection Report for 2015-2016 fiscal year showed McDowell County 14<sup>th</sup> in the state in collections. Chair Walker congratulated the Tax Collection department on the great job they do, and noted the tax collection was 99.2%.

## **BOARD APPOINTMENTS**

Chair Walker presented two openings for the Planning Board. The vacancies will be advertised. This being the first reading, no action was taken.

## **McDOWELL HOUSE UPDATE**

Carol Price, Executive Director of Tourism Development Authority, presented a plan for creating a county historic museum in the McDowell House. The McDowell House is a part of the Over the Mountain Victory Trail, and will be included in the Fonta Flora Trail. She added the McDowell House Committee has funds to replace the floors in the house, and the house will also need a roof.

Dr. Jim Haney presented ideas for the museum that had not been represented at the Carson House, and Mountain Gateway Museum. He noted it could focus on Native Americans, industries in McDowell, and other chapters of local history.

Chair Walker thanked Ms. Price and Mr. Haney for the presentation.

Chair Walker called for a recess at 5:51pm.

Board was back in session at 6:00pm

## **BUILDING PURCHASE/PUBLIC HEARING**

Chair Walker declared the meeting in public hearing according to NCGS 160A-20 to receive public input. He then recognized those who wished to speak. He noted the Board would take all comments, and at the end of the public hearing address each issue.

Phil Brooks- Asked where the Commissioners had been for three years while the West Rock building was on the market, and had they looked at renovating other buildings.

DiAnne Slater- Thinks there are other dire needs, such as senior housing that needs to be addressed. There will also be a loss of tax revenue if the county makes the purchase, and other property the county purchased is in a flood plain.

Ken Buckner – Would like to have seen a conversation between the county and West Rock and an agreement made with them before having to pay this much money. He also would like to see help

from our state legislature and for the county to receive Golden Leaf money. He also noted the county needs a Hospice house with one bed.

Chet Effler - Thinks the county employees are packed like sardines at the DSS building, and are in need of more room. He also would like to see in the future, properties are continually looked at by MEDA. He doesn't think the county could build the building for what it is being purchased. He also noted the building is in a good location and understands the price of the building.

Chad Ray – Noted employees are working in closet size areas. He does not think facility could be built for the purchase price. He would like to see services centralized, which would open up other buildings for use. He added the Universal building is something to be proud of, and would like to see this new building be the same.

Darren Waugh – He noted there were several projects in the county funded by Golden Leaf that are listed on their website. He added other buildings had been purchased by the county that had not been put to use. He added his issue was with economic development, not the purchase of the building.

Bill Bach -- He would like to see more jobs brought into the county. He also noted he has put his faith in the Commissioners, and has seen what has been done at Universal. He advised the Board to keep moving forward.

Chris Revis – Noted he doesn't have a problem with the purchase of the building, but would like hearing about issues sooner. He feels there is disconnect between economic development and the county, and asked for clarity between the two.

Mr. Gordon – He stated he is new to the community, and added transparency is key, and wants the Board to keep things on the up and up.

David Patneaude -- Feels the price of \$750,000 was a no-brainer, considering it would be approximately \$7.50 per square foot, and the administration is going to have to be moved. He also would like for the Board to stay informed about opportunities that are available, and thinks it is a good deal for the county.

Barbara Gillespie- Only concern would be if there are any environmental concerns with the building.

Benny Stamey – He stated purchasing the Universal building was a good deal. He added the DSS building and other county buildings could be rented out to bring in revenue.

Chris Revis – Asked what the plans are for the building.

Ken Buckner – Asked the Board to contact state representatives for assistance in the purchase of the building.

DiAnne Slater – Understands the need for a new DSS building.

Cynthia Britt -- Would like to see the county vision for the building before purchasing.

There being no further comments, Commissioner Crawford made a motion to go out of public hearing, second by Vice Chair McPeters. By unanimous vote, the motion carried.

Chair Walker expressed his appreciation for the turnout and the comments from the public. In regards to the purchase, he noted at last month's meeting there was a presentation of the county owned buildings. He added the Board had known for a while DSS is overcrowded, and added while

attending a meeting in the Extension Conference Room noticed there was a hole in the ceiling and the room was freezing cold. Also, for a long time the administration has been put on the back burner, and he did not know the West Rock building could be bought at that price.

Chair Walker noted there was discussion with the owners of the building, and then they looked at the building. He stated there was an environmental issue of manganese in the ground. He noted the county would do a Phase 1 environment study, and probably a Phase 2 study, and report back on issues. He added, Chuck Hamrick, architect, felt it was a good deal, and noted that construction price was approximately \$200 a square foot for the same size building.

Chair Walker noted another issue was the needs of the court house and making it handicap assessable. He stated commissioners had met with court officials and reviewed what renovations needed to be done, and they had made the needed renovations. Now the goal was to provide a facility for public use, with consolidated administrative services. He also noted the probation department was overcrowded and needed to be moved.

Next he addressed the price of the building. He stated Key Gas Company's offer of \$515,000 was turned down, and the building was on the market for \$1million, after the price had dropped from \$3 million. He stated he would like to see quarterly reports to see how buildings are marketed, and knows there is room for improvement in that area.

Commissioner Greene stated he sees many needs in the administration building, DSS, and probation office. The purchase of the building would provide a better place for the public to do business, and alleviate the overcrowding. He sees a lot of potential in the building and wants to invest for the future.

Commissioner Brown stated he brought the idea of purchasing the building to the Commissioners, and felt it was a good business deal, and the right choice for the county. He added it had been 14 years since a property tax increase, and that was because the county leaders had worked hard to maintain the same tax base. He had witnessed county employees wrapping up in blankets at their desk, and had been in facilities where you could see your breath. There were also a lot of issues with other county buildings. He also stated the county was bound to provide another courtroom.

Vice Chair McPeters noted in regards to more transparency, the John Locke Foundation had voted McDowell County as #1 in transparency. He added currently parking is an issue for the public and employees, and that the new building would address parking issues. There could also be community events held at the new facility.

Commissioner Crawford thanked everyone for coming to the meeting, and encouraged them to come back. He addressed the senior housing issue and noted that county government couldn't build senior housing; it had to be private investors. Addressing the need for a Hospice with beds, he noted a Certificate of Need must be met to have a hospice bed unit. In addressing the purchase of the building he felt it was a good deal at \$7.50 per square foot.

Mr. Wooten noted the purchase agreement was \$750,000, and the agreement would be for one year lease for \$100,000. There would also be a 60 day due diligence that would allow for Phase 1 and Phase 2, which financing would require Phase 2. After the first year the balance of 650,000 would be paid.

Discussion was held by the Commissioners.

Commissioner Crawford made a motion to agree to price of \$750,000, lease for \$100,000 for one year, paying remaining \$650,000 at the end of the year, pending no issues are found, second by Commissioner Greene. By unanimous vote, the motion carried.

**PUBLIC COMMENT**

Robert Ayers -- commended the Board on the action of purchasing the WestRock building.  
Albert Dale – Holland and Hamrick had three school buildings to collapse  
Chris Revis -- would like to see more advertising for the Board meetings on social media.

**REPORTS AND COMMUNICATIONS**

Mr. Wooten reported on the following:

Wednesday at 10am in the Extension Conference Room would be at demonstration of voting equipment.

Tuesday, March 28, will be the 4-H Achievement Night with dinner and a program.

Wednesday, April 5 will be the NCACC District meeting, in Burke Co at 5:30pm.

Thursday, April 6, at 6:00pm will be the Annual Senior Center Volunteer Appreciation Dinner at the Senior Center.

**ADJOURNMENT**

There being no further business to transact at this time, upon motion by Commissioner Brown, 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