

**STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL COUNTY
BOARD OF COMMISSIONERS
REGULAR SESSION – MAY 8, 2017**

ASSEMBLY

The McDowell County Board of Commissioners met in regular session on Monday, May 8, 2017, at 5:00 p.m., at the County Administration Building, 60 East 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 Brown made a motion, second by Commissioner Greene, to approve the April 10, 2017 Regular Session, and April 24, 2017 Adjourned Session minutes as presented. By unanimous vote, the motion carried.

APPROVAL OF AGENDA

Chair Walker called for any additions or deletions to the agenda.

Commissioner Brown made a motion to approve the agenda, second by Vice Chair McPeters. After discussion, board committee vacancy was added to Board Appointments. By unanimous vote, the motion carried with the addition to the agenda.

MTCC FACILITY REQUEST

Dr. John Gossett, MTCC President, announced 82% of their students had earned a passing grade, which was the highest in the state. The Board congratulated the college on the honor.

He then presented a request for a 100 ton chiller. The chiller was working at 25% capacity due to three of the four air compressors failing. He presented a price quote from Pyatt Heating and Air Conditioning, Inc for \$83,241.00 and \$6,086.00 for additional warranty.

Commissioner Crawford approved request as presented with the warranty, second by Commissioner Greene. By unanimous vote, the motion carried.

BOARD APPOINTMENTS

Chair Walker presented a vacancy on the MTCC Board of Trustees and the Jury Commission as a first reading. Vacancies will be advertised and brought back at the next Regular Session meeting.

TAX MATTERS

Releases, Refunds, & Write-offs

Write-offs	\$40,104.59
Refunds	\$ 5,943.09
MV tax refunds	\$ 733.88
Releases under \$100	\$ 227.79
Releases over \$100	\$ 1,132.39
Discoveries	\$ 3,995.99

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

FLAGPOLE AT GREENWAY

Mr. Wooten noted the Marion Rotary Club had requested to place a flagpole with the US flag at the entrance to the Greenway behind the McDowell House.

Commissioner Brown made a motion to approve the request, second by Commissioner Greene. Commissioner Crawford noted there would be a light on the flag at all times. By unanimous vote, the motion carried.

ADMINISTRATIVE ITEMS AND BUDGET UPDATE

Mr. Wooten presented a *Resolution Authorizing Sale of County Owned Property*, on behalf of Deputy Darryl Ishikura, who retired April 30th and requested his sidearm and badge. Discussion followed on his request for his departmental issued Remington 870 shotgun. Mr. Wooten noted staff was obtaining the fair market value of the shotgun since general statutes notes it must be purchased.

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

Fee Waiver

Mr. Wooten presented a list of non-collectible EMS accounts for write off totaling \$40,104.59. He also presented a water leak fee waiver for \$594.92 with the Nebo Water system, Resolution Close-Out of Project Fund (55) and Project Fund (40).

Vice Chair McPeters made a motion to approve the water fee waiver, two close out project funds, and the non-collectible EMS accounts, second by Commissioner Crawford. By unanimous vote the motion carried.

Mr. Wooten presented the following amendments for approval:

Project Budget Ordinance Old Fort Ball Field Stream Restoration and Trail System

Budget Amendments

GF 50-Transfers \$24,200 to the Universal Enterprise Fund

GF 51-Transfers between line items for the Clerk of Court for purchasing of office equipment

GF 52-Transfers between line items, and appropriates fund balance and revenues in Emergency Services

GF 53-Transfers funds between line items and appropriates fund balance for Facility Maintenance

GF 54-Appropriates revenue received for a Public Works heavy machine payment

GF 55 –Appropriates loan proceeds for Sheriff and Emergency services vehicles

GF 56-Appropriates revenue received and transfers between line items in the Sheriff's Office

GF 57-Appropriates revenue received in various departments

GF 58-Appropriates revenue received and makes transfers at Social Services

GF 59-Makes transfers in various line items under \$3000

GF 60-Amends the budget to account for estimated sales tax

GF 61-Transfers between line items and appropriates fund balance for HVAC unit at the Library

GF 62- Appropriate fund balance to cover repairs required by the state at the Animal Shelter

GF 63-Transfers between line items in Soil and Water and Assessing

ENT1 – Transfers between line items in the Waste Enterprise Fund

911F4 –Transfers between line items in the 911 Fund

UENT2 – Transfers \$24,200 to Building Improvements in the Universal fund (goes with GF50)

Commissioner Crawford made a motion to approve GF50-63, ENT1, 911F4, UENT2, and also the Project Ordinance, second by Vice Chair McPeters. By unanimous vote, the motion carried.

SUBDIVISION MARKETING CONCEPT

Mr. Chuck Abernathy, MEDA Director, and Steve Bush, Chamber of Commerce Executive Director, and Chris Allison, owner of RocketSled, a marketing company, made a presentation on subdivision marketing. With collaboration between MEDA and the Chamber they identified 900 available lots in the county. Mr. Bush spoke on business and independent growth for the county. Mr. Allison gave a presentation on the proposed website of gotomcdowell.com. The address had been given to the Chamber Board, MEDA Board and the Commissioners for their input.

Discussion was held on the potential of the website and the potential growth of the county. Funding for the project was discussed, and a revenue strategy was reviewed. Request was made for \$3,000 from the county and execution of a contract.

Commissioner Greene made a motion to take the necessary steps to move forward with the initiative, second by Commissioner Brown. My unanimous vote, the motion carried.

PUBLIC HEARING-SUBDIVISION ORDINANCE REVISION

Chair Walker declared the meeting to be in public hearing according to NCGS 153A-323 Subdivision Ordinance Revision.

Mr. Ronald Harmon, Planning Director, presented two changes to the county's Subdivision Ordinance to be in compliance with the North Carolina Fire Code. The first change was to Article 8-Development Standards, Section 2, Item B. The new section would read:

"Two lane roads shall be at least twenty (20) feet in width and shall be constructed with a shoulder of at least two (2) feet in width on each side of the roadway."

The second change was to Article 8-Section 6 Private Driveway. The proposed new change would read:

Private driveways may provide access from a publicly or privately maintained roadway and serve up to two lots. When a private driveway serves more than one lot, a driveway maintenance agreement is required. If future development is possible, a forty five (45) foot wide easement is required. It is recommended that private driveways be constructed to such minimum standards so as to adequately meet access requirements of lenders and emergency services.

There were no comments from the public. Discussion was held by the Commissioners.

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, second by Vice Chair McPeters, to approve the amendment. By unanimous vote, motion carried.

VAYA HEALTH UPDATE

Mr. Brian Shuping, County Relations Representative-Northern Region, of Vaya Health gave an update on their operations. Vaya recently aligned McDowell County with the northern counties of Alleghany, Alexander, Ashe, Avery, Caldwell, Watauga, and Wilkes. WNC substance use alliance project

Mr. Shuping discussed the new Mindkare Kiosk Program. The kiosk allows persons to self-determine potential needs by completing a confidential screening designed to assess for mental health and/or substance use disorder issues. Suggestion was made of placing a kiosk at the library, and reevaluate it's usage in six months, with option of moving to a different location. He also offered support from Vaya Health on the upcoming initiative against Opioid use.

Chair Walker thanked Mr. Shuping for the presentation.

TRANSPORTATION UPDATE

Mr. Wooten noted McDowell is only one of two counties in the state that does not have a public transportation system. He advised the previous transportation study results would be completed soon. The options previously presented were to join with a regional transportation group, or to establish a separate enterprise transportation group. Ms. Sprouse noted there were competitive NCDOT grants available for funding, if approved the funds would not be received until 2019. Discussion followed on the \$300,000 needed to pull transportation from DSS budget and make it a standalone operation. Mr. Wooten noted he had received several letters of support from the transportation board and businesses for a separate transportation department.

Chair Walker suggested a dual tract plan, to see if the transportation department could apply with NCDOT for grants as an independent agency, while maintaining the current transportation department. Ms. Sprouse noted she could contact NCDOT to evaluate if it is feasible to pull the transportation department out of DSS, and if they would be eligible to apply. She also noted Baxter Labs had approached DSS about providing assistance with transportation. Staff recommended waiting until the DOT study was done.

Commissioner Brown made a motion to get DOT involved and see what options are available with them, second by Commissioner Crawford. By unanimous vote, the motion carried.

SHOOTING RANGE UPDATE

Mr. Wooten gave an update on the pursuit of a shooting range on the proposed Ashworth Road property owned by the county. He added letters had been sent to the Wildlife Commission, and a meeting would be set up with the local area Commissioner. Contact had also been made with Rep. Dobson and Senator Hise who had also spoken with the Wildlife Commission. Staff is addressing concerns from the Wildlife in regards to accessing the property.

GREENWAY TRAIL UPDATE

Mr. Wooten presented the updated contract with Resource Institute for the Greenway. He also added staff had received four proposals for Phase 3. He would like to have a volunteer from the Board to serve on an ad-hoc committee, as well as a representative from the McDowell Trails Association.

WATER PROJECTS UPDATE

Mr. Wooten presented a preliminary schedule for the Stacy Hill Road water line project. Suggestion was made to build the project in two phases due to the EPA funding deadlines and requirements. He noted the deadline was December 31, 2017 for funding.

COUNTY FACILITIES DISCUSSION

Mr. Wooten gave a presentation on the Court House needs. He presented estimates on removal of old HVAC and installation of new for \$790,000; architect estimate on windows of \$350,000; and estimate for a third courtroom for \$2.6---3.3M.

Discussion was held on the parking deck structure and removal of small rocks on the exterior of the administration building. Suggestion was made to paint the administration building with a coordinating color of the court house, and seal the leaks on the parking deck. Staff asked for direction of what to bring back for bids.

Chair Walker recommended having a workshop to discuss options.

Commissioner Greene agreed the Board needed to maintain the courthouse building by upgrading HVAC, but would not agree to add on to the existing courthouse for a third courtroom.

Commissioner Brown noted if the county could not commit to \$3M for renovations now, then they could not commit to \$20M to build a new courthouse.

Vice Chair McPeters noted if the county built a new courthouse it would need to go to the Sheriff's office, and the city would be a ghost town without the courthouse, due to 80,000 visitors a year to the facility.

Commissioner Greene noted the last time he looked at court calendar there was only one day that a third courtroom would be needed. He added there were several afternoons the courtrooms were empty, and thought scheduling was an issue. He also noted legislature is looking at rising the juvenile age which would put a strain on the court system.

Discussion followed on bank financing and using fund balance for the construction.

Commissioner Crawford made a motion to authorize the County Manager to move forward with the architect on Courtroom 3, financing and seeking bids, and the rest of the work being air conditioning and windows out of fund balance, second by Commissioner Brown.
Ayes-Commissioner Crawford; Commissioner Brown; Vice Chair McPeters
Nays-Commissioner Greene

SUBDIVISION PAVING APPROVAL

Mr. Wooten presented a request from the developers of The Peninsula on Lake James to hold funds for roads in the second phase of their development. The funds will be held until after the work is complete and then the funds will be released for the contractor's invoice to be paid.

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

PUBLIC COMMENT

No one from the public requested to speak.

REPORTS AND COMMUNICATIONS

Chair Walker reminded the Board of their meeting Thursday, May 11 at 6:30 at the 911 Backup Center.

ADJOURNMENT

There being no further business to transact at this time, upon motion by Vice Chair McPeters and a second by Commissioner Brown, the meeting was adjourned to Thursday, May 11, at 6:30pm at the 911 Backup Center.

DAVID N. WALKER
CHAIRMAN

CHERYL L. MITCHELL
CLERK TO THE BOARD