

**STATE OF NORTH CAROLINA  
COUNTY OF MCDOWELL COUNTY  
BOARD OF COMMISSIONERS  
REGULAR SESSION – MAY 14, 2018**

**ASSEMBLY**

The McDowell County Board of Commissioners met in Regular Session on Monday, May 14, 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; Lynn Greene; and Brenda Vaughn

**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 Vice Chair McPeters, followed by the pledge of allegiance, led by Commissioner Vaughn.

**APPROVAL OF MINUTES**

Commissioner Brown made a motion, second by Commissioner Greene, to approve the April 9, 2018 Regular Session; April 18, 2018 Special Session; April 30, 2018 Special Session; and May 4, 2018 School Board Joint Meeting minutes. 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.

**KIDS IN PARKS PROCLAMATION**

Ms. Audrey Elliott, a 10 year old student, was named a Buddy Bison Student Ambassador by the National Park Trust. She encouraged youth to engage in local, state, and national parks, and requested the Board proclaim May 19<sup>th</sup> as Kids to Parks Day. Ms. Elliott stated she enjoyed state parks like the discovery trail at Lake James, and visiting national parks to see all the history and background about the parks.

Commissioner Brown made a motion to approve *Kids to Parks Day Proclamation and May 19<sup>th</sup> as Kids to Park Day*, second by Vice Chair McPeters. By unanimous vote, the motion carried.

Vice Chair McPeters read the proclamation before the Board and Ms. Elliott had pictures made with the proclamation.

**RECOGNITION OF SHERIFF GREENE**

Sheriff Dudley Greene previously announced his retirement effective May 31, 2018. Chairman Walker expressed his appreciation to Sheriff Greene for the excellent job he has done as Sheriff, and for being a great partner with the county.

Each Commissioner expressed their appreciation for Sheriff Greene for his professionalism, integrity, and also as a friend. They also acknowledged their appreciation to Sheriff Greene's wife, Allyson. Chairman Walker added the Sheriff had set aside funds in his budget this fiscal year to place a SRO in every school.

Sheriff Greene acknowledged he had been appointed 10 years and 2 days ago, and it had been a privilege to serve in McDowell County. The outreach of the county was special, and he appreciated the Board and staff for supporting him.

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

Commissioner Brown made a motion to approve the *Resolution of Appreciation Recognizing Sheriff Dudley Greene for His Many Years of Service*, second by Commissioner Greene. By unanimous vote, the motion carried.

## **TRANSPORTATION PUBLIC HEARING**

Chairman Walker declared the Board in Public Hearing pursuant to US Code Title 49-Section 5311. He acknowledged Jennifer Baptiste with State of NC DOT, and Cathy McKinney, Transportation Advisory Board member.

Randall Conley, Transportation Director, presented the transportation administrative and capital funding for fiscal year 2019. The requested county administrative funding amount was \$24,787.00 and requested capital funding amount was \$19,050.00. Mr. Conley also requested approval of *Public Transportation Program Resolution FY 2019*.

Public comments: There were none.

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

Vice Chair McPeters made a motion to approve the funding applications and all other documents for transportation, authorize the County Manager to sign documents, and approve *Public Transportation Program Resolution FY 2019*, second by Commissioner Brown. By unanimous vote, the motion carried.

## **SHOOTING RANGE UPDATE**

Mr. Wooten noted Sen. Hise would like to have dedicated funding from the State in the budget, and added there had been discussion of \$500,000. He added there had also been some discussion of transferring some of the property to the State of NC for the Wildlife to construct the range. The Commissioners agreed if there was a donation of land deeded to the state, there would be a reversion back to the county if it ever ceases to be a shooting range.

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

The project had been re-bid due to the bids being higher than expected. The new bids were higher than expected again, the low bid was \$1,208,030 which was \$200,000 higher than anticipated with the shorter loop of the water line.

Mr. Wooten presented a recommended funding plan:

Loan proceeds	\$450,000
EPA Grant	\$367,176

Capital Reserve	\$100,000
Fund Balance	\$503,654

Discussion was held on running water lines to Candee Acres.

Commissioner Greene made a motion to proceed with the project and bank financing, second by Commissioner Brown. By unanimous vote, the motion carried.

### **175<sup>th</sup> ANNIVERSARY CELEBRATION**

Mr. Chuck Abernathy, Chair of the Historic Carson House Board of Directors spoke on the upcoming 175<sup>th</sup> year celebration of McDowell County. The dates are September 22-September 29, 2018.

The committee would like for the Board to have the dedication of the educational document monuments on Saturday, September 22<sup>nd</sup>. Other events tentatively planned for the occasion:

9/23 - tea and historic fashion show

9/27 - all 4<sup>th</sup> graders tour the Historic Carson House with special emphasis placed on the 175<sup>th</sup> anniversary of the City of Marion and McDowell County.

9/28 - City of Marion events

9/29- events at the Historic Carson House

Mr. Abernathy noted there were other activities being discussed to coordinate with the plans already set. There was discussion on the past commemorative coins being reproduced to sell with this year's coin.

Chair Walker thanked him for his presentation and the work of the committee.

### **BIKE PLAN PRESENTATION**

Mr. Stephen Bzomowski, with IPDC, gave a presentation on the benefits and recommendation of the Isothermal Regional Bicycle Plan. The recommendation was for 27 priority projects across the region, with seven being in McDowell County. The IPDC was awarded a planning grant from the DOT to develop a regional comprehensive bicycle transportation plan with the purpose being to identify opportunities and constraints fro bicycling in the Isothermal region and to establish recommendations for improvement.

Discussion was held on the benefits of the bike plan.

Vice Chair McPeters made a motion to approve the *Resolution Supporting the Isothermal Regional Bicycle Plan*, second by Commissioner Vaughn. By unanimous vote, the motion carried.

### **SPAULDING ROAD GREENWAY UPDATE**

Mr. Wooten advised Headwaters Engineering had been contracted to do the design, permitting, and construction management. The bids are due Friday, May 18<sup>th</sup> for the greenway work.

### **VOLUNTEERS AT THE ANIMAL SHELTER**

Mr. Wooten presented a draft plan for using volunteers at the animal shelter. He had met with Randall Thomas, Public Works Director; and Kaitlyn Settlemyre, Animal Shelter Director, to discuss the plan for use at the county shelter. There would be a background and drug test performed on all volunteer applicants. Each applicant would have to attend a mandatory training class. Discussion was held on the age requirement of volunteers.

Consensus from the Board was to request the County Attorney to look over the document. This item will be put on next month's agenda.

### **FACILITIES UPDATE**

The Courthouse project construction began April 23<sup>rd</sup> with removing of the first and second level concrete slabs of the parking decks. A construction meeting is scheduled for this Friday, and will continue monthly. Employee parking has not been an issue, due to the use of two nearby parking lots.

Staff is preparing for a few departments to move to the lower level of the Senior Center. The telephone and internet needs are being addressed, as well as furnishings for some offices and common areas. The vacated offices from the current location would house the rest of the Tax Assessing department that is currently located upstairs.

### **ADMINISTRATIVE ITEMS / DRAFT POLICIES**

The Credit Card Policy; Purchasing Policy; Conflict of Interest Policy; and Travel Policy were all presented with revisions as a first reading. The Purchasing and Credit Card policy revisions were strongly requested by the State Treasurer's office.

No action was taken due to being a first reading.

The Relay for Life Committee requested a Season Pool Pass donation from the Recreation Department.

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

Cooperative Extension's program Keep McDowell Beautiful requested a tipping fee waiver for the trash collected at the Lake James Cleanup.

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

Request was presented from Emergency Services for the bid approval of an ambulance. Two bids were received: 1) Northwestern Emergency Vehicles - \$199,998.00

2) Atlantic Emergency Vehicles - \$240,925.00

Mr. William Kehler, ES Director, recommended awarding the bid to Northwestern Emergency Vehicles, due to the fact the bidder fully complied, and was a reputable company.

Vice Chair McPeters made a motion to approve bid proposal Northwestern Emergency Vehicles for \$199,998.00, second by Commissioner Greene. By unanimous vote, the motion carried.

The Finance Department received five responses for financing for the following items from the Sheriff, EMS and Public Works:

One (1) 2018 Type 1 Ford 450 Ambulance  
Two (2) 2018 Ford Interceptor Sedans  
Three (3) 2018 Dodge Durango  
One (1) American Baler

The responses were from:

BB&T                      2.90%

SunTrust	3.053%
First Bank	3.25%
First Citizens	3.31%
Carolina Alliance	3.48%

Commissioner Greene made a motion to approve *Resolution Approving Financing Terms* for BB&T for \$455,935.00 at 2.90% for four years (8) semi-annual payments in arrears beginning November 2018, second by Vice Chair McPeters. By unanimous vote, the motion carried.

Request from a new business for an occupancy late listing fee waiver due to the fact they were unaware of the tax until the Department of Revenue advised them to list with the county. All past due taxes were paid promptly.

Commissioner Brown made a motion to waive late listing fee, second by Vice Chair McPeters. By unanimous vote, the motion carried.

### **Budget Amendments**

GF 47 – Transfers between line items and appropriates fund received in Emergency Services.

GF 48- transfers between line items at the Library

GF 49- Appropriates adoption fees at the animal shelter

GF 50- Appropriates fees at the Sheriff's Office

GF 51- Transfers funds in the DSS department for the Transit Department startup

GF 52- Appropriates funds for the Juvenile Detention line item

GF 53-Appropriates funds in the Juvenile Crime Prevention function

GF 54- Appropriates funds received in Rescue Squad billing

GF 55 – Appropriates sales tax funds

GF 56 – Appropriates funds and transfers between line items for health insurance charges

911F4- Transfers between line items in the 911 Fund

REVF1- Appropriates fund balance for the Revaluation contract

ENT 1- Allocates revenue in the Waste Enterprise Fund

S12 – Allocates revenue sources for Self Insurance Fund

Commissioner Brown made a motion to approve budget amendments GF47-GF56; 911F4; REVF1; ENT1; and S12, second by Commissioner Greene. By unanimous vote, the motion carried.

### **TAX MATTERS**

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

MV tax refunds	\$ 394.05
Releases over \$100	\$ 3,211.27
Refunds	\$11,045.89
Discoveries	\$ 288.23
Write-off	\$ 1,086.35

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

### **BOARD APPOINTMENTS**

Chair Walker presented as a second reading vacancies on the following boards. The Board results via written ballot:

Library Board of Trustees: Unanimous vote for Kelly Solesby and Michael Thomas  
 TDA: Category – Under 50 room lodging property: Unanimous vote for Brigitte Walters  
 TDA: Category – Tourism-related business: Unanimous vote for Bruce Brown

The McDowell Tech Board of Trustees has one vacancy, and was presented as the first reading.

Commissioner Crawford served on numerous committees. The following committees were reassigned:

Joint Utility Committee: Commissioner Brenda Vaughn  
 RPM District Health Board: Commissioner Lynn Greene  
 IPDC Board of Directors: Commissioner Brenda Vaughn  
 Isothermal RPO: Commissioner Brenda Vaughn  
 Transportation Advisory Board: Commissioner Brenda Vaughn  
 Tourism Development Authority: Commissioner Brenda Vaughn  
 Hospital Roundtable: Commissioner Brenda Vaughn

Commissioner Brown made a motion to accept appointments of Commissioner Vaughn and Greene to the various boards, second by Vice Chair McPeters. By unanimous vote the motion carried.

### **PANHANDLING DISCUSSION**

Chairman Walker advised he had been contacted by several citizens complaining about panhandlers near the truck stop and Walmart. Other Commissioners noted they had also seen the panhandlers.

Commissioner Brown made a motion to send the panhandling issue to the Planning Board for their recommendation, second by Vice Chair McPeters. By unanimous vote, the motion carried.

### **FOX HUNTING/TRAPPING DISCUSSION**

Ron Harmon advised the Planning Board unanimously recommended the Board of Commissioners consider enacting a local fox trapping law with no bag limit, no tag, and the season would run from November 1<sup>st</sup> thru February 28<sup>th</sup>. Currently foxes cannot legally be trapped or hunted. Dwayne Robinson, a member of the NC Trappers Association, noted there are 22 licensed trappers in McDowell County, and there were no state or county figures showing foxes are endangered. He added he had the support of Rep. Dobson and Sen. Hise.

Commissioner Brown asked how many foxes in a year would be accidentally trapped. Mr. Robinson noted there could be 12 foxes a year that would get in his trap while he was trapping coyotes.

Vice Chair McPeters made a motion to accept request for fox hunting/trapping, no bag limit, for local county law, and that legislature look at fox trapping law, and to make trapping season November 1<sup>st</sup> through February 28<sup>th</sup>, second by Commissioner Greene. By a vote of three (3) to two (2), the motion passed.

Aye- Commissioner Greene; Vice Chair McPeters; Chairman Walker

No- Commissioner Brown; Commissioner Vaughn

### **PUBLIC COMMENT**

Louie Parrow-- welcomed Commissioner Vaughn to the Board, and requested funding for the Sheriff's Department to receive training for how to deal with special needs citizens.

Joy Harklerode—Mercy Animal Rescue, reported she is working with the Sheriff's Dept. to provide dog houses and food for animals. The organization has placed 75 houses this past year. Pet responsibility program is in all schools and is very successful. The group requested a Universal Microchip Scanner.

### **REPORTS AND COMMUNICATIONS**

Mr. Wooten noted the Board would adjourn to Thursday, May 17<sup>th</sup>, at 4:30pm to hear Fire Department request and budget presentation.

### **ADJOURNMENT**

There being no further business to transact at this time, upon motion by Commissioner Brown, second by Vice Chair McPeters, the meeting was adjourned to May 17<sup>th</sup> at 4:30pm.

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DAVID N. WALKER  
CHAIRMAN

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CHERYL L. MITCHELL  
CLERK TO THE BOARD