

**STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL COUNTY
BOARD OF COMMISSIONERS
REGULAR SESSION – FEBRUARY 9, 2015**

ASSEMBLY

The McDowell County Board of Commissioners met in regular session on Monday, February 9, 2015, at 5:00 p.m., Commission Board Room of the County Administration Building, 60 East Court Street, Marion, North Carolina.

MEMBERS PRESENT

David N. Walker, Chairman; Barry McPeters, Vice-Chairman; Tony Brown; and Matthew Crawford; and Van “Randy” Hollifield.

OTHERS PRESENT

Charles R. Abernathy, County Manager; Ashley Wooten, Deputy Clerk to the Board; and Theresa Strickland, Public Information Technician (Filming).

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner McPeters made a motion, seconded by Commissioner Crawford, to approve the January 12, 2015 Regular Session minutes as presented. By unanimous vote, the motion carried.

APPROVAL OF AGENDA

Commissioner McPeters made a motion, seconded by Commissioner Brown, to approve the agenda as presented. By unanimous vote, the motion carried.

SPECIAL RECOGNITION

The Chairman recognized Valerie Dobson who appeared in place of Representative Josh Dobson who could not be present due to the legislature being in session.

Ms. Dobson recognized Mr. A.C. “Bud” Hogan for his numerous accomplishments throughout his life and career. She presented the Order of the Long Leaf Pine signed by Governor Pat McCrory to Mr. Hogan for his service to the people of McDowell County and North Carolina. Chairman Walker thanked Mr. Hogan for his service and love for the county. The other commissioners expressed their thoughts and appreciation to Mr. and Mrs. Hogan.

BUDGET UPDATE AND FINANCE MATTERS AND AMENDMENTS

The County Manager presented an overview of the monthly financial report. He highlighted the sales tax revenues and noted that at this point in the fiscal year the sales tax collections are \$60,066.33 above budgeted revenues, slightly below the January figure. He also provided an overview of the property tax collections through January 31, 2015. The percent collected was 92.63% with total collections being \$16,042,966.86 through that date. He noted that the collection percentage rate was approximately 2 percent higher than 2014.

Mr. Abernathy also reviewed the Jail Revenue. He noted that currently the revenue is budgeted at \$903,375 with \$492,750 of that being transferred to the general fund. The remainder of \$440,625 is to be split with \$175,000 to be used for debt payment and the balance to be reserved.

In response to Chairman Walker's question, Ms. Morgan noted that the jail fund balance was typically not as high as \$430,397. Mr. Walker did express concern if the need for bed space went away due to state sentencing changes. District Attorney Ted Bell noted that he was unsure of the state impact but he felt that much of the bed payments come from neighboring counties now.

Ms. Morgan presented a request from a company to waive the late fee for the occupancy tax. Commissioner Crawford motioned, with a second by Commissioner Hollifield, to waive the late fee. By unanimous approval, the motion carried.

The County Manager presented a brief overview of the Nebo Water System revenues and expenditures. He noted there are 191 residential and 17 commercial customers.

Mr. Abernathy also presented the budget calendar for the board to review.

The County Manager and Finance Officer also presented a list of budget amendment that he requested be approved:

GF 17 - This amendment carries forward reserved school funds for technology, allocates previously approved to purchase the Crooked Creek site, and allocates the Baldor incentive for their expansion (these funds are budgeted and allocates transportation funds received).

GF 18 - This amendment takes all of the unspent funds in every departments benefits Line-item and allocates the funds for the self insurance fund. In addition, substantial funds are taken from the economic development line item that will not be expended this fiscal year.

GF 19 - This amendment allocates \$970 for equipment out of the Register of Deeds restricted revenue account.

GF 20 - This amendment allocates out of the jail reserve fund to replace washer and dryers and to replace computers.

GF 21 - The amendment receives and allocates restricted state and federal funds in the DSS budget.

Amendment S/I - This amendment is the “flip side” of the insurance amendment listed above. It does nothing except amend the fund.

Commissioner McPeters motioned, with a second by Commissioner Brown, to approve Budget Amendments GF 17-21 and Amendment S/I. By unanimous approval, the motion carried.

TAX LIENS/ADVERTISEMENT

Tax Collector Linda Onufrey presented the list of delinquent real property accounts as of January 31, 2015. She noted that per general statute requirements, the delinquent list must be printed in a local newspaper. She presented a quote of \$4,472.50 from *The McDowell News* to print the list on May 13, 2015. She noted that taxpayers have until April 30, 2015 to pay in order to have their names removed from the publication list.

Chairman Walker noted that there had been numerous attempts to work with taxpayers to avoid the lien process.

Commissioner McPeters motioned, with a second by Commissioner Crawford, to approve the delinquent list and to authorize printing the list on May 13, 2015 in *The McDowell News* for the price quoted above. By unanimous approval, the motion carried.

AUDIT PRESENTATION

The Chairman recognized Kathy Atkinson from the county’s independent auditing firm Johnson, Price, and Sprinkle. Ms. Atkinson was present to give an overview of the county’s 2013-2014 audit. She noted that the audit is required by general statute for local governments and due to the receipt of state and federal funds, additional audit levels are required. She highlighted the Management’s Discussion and Analysis and asked the board to specifically review that section.

She noted the several Independent Auditor Reports and the Summary of Auditor’s Results. There being no questions regarding the audit results, she noted that the fund balance amount increased while the fund balance available for appropriation went down due to outstanding payables.

Commissioner Hollifield motioned, with a second by Commissioner McPeters, to receive and accept the independent auditor’s report. By unanimous approval, the motion carried.

Chairman Walker thanked Ms. Atkinson for her firm’s hard work on the audit. The County Manager also commended staff for their cooperation with the auditing firm.

WATER UPDATE

The County Manager presented an update on the Lake James reclassification process in regards to negotiations with the City of Marion. He noted that the proposed agreement would transfer development rights from the United States National Forest to the City of Marion.

Chairman Walker noted that this action would help with the designation of Lake James as a drinking water source.

Commission Crawford motioned, with a second by Commissioner Hollifield to approve the *RESOLUTION TO TRANSFER RIGHTS FOR 10/70 LAND AREA IN THE LAKE JAMES WATERSHED TO THE CITY OF MARION, NORTH CAROLINA FROM MCDOWELL COUNTY, NORTH CAROLINA*. By unanimous approval, the motion carried.

Mr. Abernathy presented a survey of the proposed easement on the former Hendrix farm for the benefit of Crescent Resources. Commissioner Hollifield noted that he had observed the survey markers and it seemed to be a fair alignment.

The County Manager also provided a brief update on the extension of the water line to the Exit 90 interchange. He noted that the Appalachian Regional Commission would hopefully award the \$300,000 grant in March 2015. He noted that the NC Department of Commerce had previously approved a \$100,000 grant.

Mr. Abernathy also noted that a resident on Oak Hill Drive had requested a water line be extended to serve his road. The County Manager noted that staff had begun to survey the residents in order to determine interest.

He also added that he had spoken with NC Commerce staff about securing a grant to serve the Universal building with a City of Marion water line. He stated that the possibility looked favorable due to anticipated hiring from a company.

JAIL AND COURTHOUSE UPDATE

The County Manager briefly reviewed the jail and courthouse bidding schedule. He also noted that there had been interest in the courthouse due to a recent report from the grant jury report. In response to the report, he noted that the staff were currently getting quotes to replace the heating and cooling system for the facility, on expanding the lower level courtroom, and receiving quotes on sealing the parking deck. He also suggested that the county hire Holland & Hamrick Architects to design a third courtroom.

Mr. Abernathy noted there were some slight inaccuracies in the report. He noted that several items such as wiring, exits, and fire extinguishers were erroneously noted. He did note that some items that were pointed out have been or will be addressed as soon as practicable. He noted that the District Attorney would be moving to the former law library.

Commissioner Hollifield stated that he took a tour of the courthouse several weeks prior and noted that he felt that the courthouse needed some investment in order keep it as a working building for the next 50 years.

Commissioner Brown noted that he believed that the building was structurally sound and that investing money in the current structure would be preferable to looking at other options.

Chairman Walker agreed that investments in the structure were needed and he felt that several of the suggestions of the county's architects would take care of several problems. He also added that he felt that there had been several years of addressing facility needs for funded agencies, but he wanted to focus on the central facilities of the organization for the next several years.

ANNUAL REPORT

The County Manager presented the final draft of the annual report for the county. He noted that staff had worked diligently to prepare a quality document that could be shared with the public.

UNIVERSAL UPDATE

The County Manager a general update on several activities related to the Universal facility. He briefly mentioned several items of note, including a proposed Golden Leaf Foundation grant that would spend \$1,500,000 on grading of sites, and \$300,000 for an engineering program that would be located in the facility.

BOARD APPOINTMENTS

Mr. Wooten provided an overview of the board appointments for the month. He noted that there were five applicants for two planning board alternate positions. After reviewing ballots submitted by each commissioner, Mr. Wooten noted that Van Boyd and Eric Adams were the two highest vote recipients.

TAX MATTERS

The County Manager presented the monthly tax releases, rebills, and refunds.

A summary of the tax matters:

MV Releases Over \$100.00	Released amount of \$112.61
Releases Over \$100.00	Released amount of \$618.51
Releases Under \$100.00	Released amount of \$31.50

The NCVTS Pending Refund report showed a refund total of \$1,190.97.

Commissioner McPeters motioned, with a second by Commissioner Hollifield, to approve the releases, rebills, and refunds. By unanimous approval, the motion carried.

POLICY MANUAL

The County Manager presented a draft policy manual that had been prepared by staff and a personnel law attorney. He noted that there were no substantive changes.

Commissioner Crawford motioned, with a second by Commissioner Brown. By unanimous approval, the motion carried.

PROPERTY ON WEBSITE

Mr. Wooten noted that staff had worked to design a webpage on the county's website to list surplus properties for sale. He noted that the goal would be to advertise the availability of the parcels and to hopefully receive bids from interested buyers.

COUNTY COMPARISON AND TIER RANKING

The County Manager presented a comparison chart prepared by the North Carolina Association of County Commissioners comparing McDowell with 24 other counties. He noted that the county rates favorably when compared to that population group when comparing expenditures and revenues.

Mr. Abernathy also noted the tier rankings of the counties throughout the state. He noted that McDowell was currently a Tier 2.

CLOSED SESSION

The Chairman noted that the Board would go into closed session per North Carolina General Statute 143-318.11 Section 4 (economic development and Section 6 (for a personnel matter).

Upon leaving the closed session, Chairman Walker noted that the Board had discussed a personnel item and an economic development item.

Commissioner Hollifield motioned, with a second by Commissioner Crawford, to appoint Ashley Wooten to the position of County Manager effective September 1, 2015. Chairman Walker noted that Mr. Wooten had 11 plus years of experience working with the county and was qualified for the position. By unanimous approval, the motion carried.

Commissioner Crawford motioned, with a second by Commissioner Brown, to approve a lease expansion agreement with Total Quality Assurance and to grant a four-month lease extension to The Solar Connection, LLC. By unanimous approval, the motioned carried.

CITIZEN COMMENT

District Attorney Ted Bell addressed the Board on several matters, especially the courthouse improvements. He advised that there should be an evaluation of the growth of court use in order to anticipate the facility needs.

A general discussion of planning for future improvements to the courthouse followed between the board and Mr. Bell. Mr. Bell noted that he wanted to be cooperative and not adversarial.

REPORTS AND COMMUNICATIONS

There were none to report.

ADJOURNMENT

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

DAVID N. WALKER
CHAIRMAN

ASHLEY R. WOOTEN
DEPUTY CLERK TO THE BOARD