

**STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL COUNTY
BOARD OF COMMISSIONERS
REGULAR SESSION – MARCH 14, 2016**

ASSEMBLY

The McDowell County Board of Commissioners met in regular session on Monday, March 14, 2016, 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; Van "Randy" Hollifield; Matthew Crawford, and Tony Brown

OTHERS PRESENT

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

Vice-Chair McPeters made a motion, second by Commissioner Hollifield, to approve the February 8, 2016 Regular Session minutes as presented. By unanimous vote, the motion carried.

APPROVAL OF AGENDA

Commissioner Crawford made a motion to approve the agenda with an addition in reference to a resolution for discussion which is adoptable, second by Vice-Chair McPeters. By unanimous vote, the motion carried.

100 YEAR OLD RECOGNITION

Commissioner Hollifield introduced Mr. Alan Mainer, Commander at American Legion Post 56. Mr. Mainer recognized Corporal Carl Wolf, a WWII veteran who will turn 100 years old on March 18. Mr. Mainer presented a lifetime membership to American Legion to Mr. Wolf. Mr. Doug Johnson presented Mr. Wolf a certificate of invitation to the American Legion; Mr. Steve Bush presented a proclamation from American Legion proclaiming March 14, 2016, "Carl Wolf Day". Mr. Lawrence Reel presented a certificate of Service to America to Mr. Wolf. Commissioner Hollifield presented Mr. Wolf a certificate of Recognition of Appreciation from the Board of Commissioners.

Chair Walker expressed appreciation to Mr. Wolf and all veterans who were present for their service.

Chair Walker announced a recess at 5:18 pm; the meeting was back in session at 5:29pm.

ADMINISTRATIVE ITEMS AND BUDGET UPDATE

Budget Update

Mr. Wooten stated he is starting budget meetings with department heads to hear their budget request this week. He plans to present a draft budget to the board by April 30th.

Budget Amendments

Ms. Alison Morgan presented the following budget amendments for approval:

- GF 28 — Transfers funds for the vacated space renovations at Universal.
- GF 29 — Transfers funds to the jail and courthouse project.
- GF 30 — Transfer funds due to budget requirements in special legal matters.
- GF 31 — Appropriates donated funds to the education line item in Cooperative Extension.
- GF 32 — Appropriates donated funds to the Kids Safety Camp line item.
- GF 33 — Appropriates transportation funds received.
- GF 34 — Appropriates tax collections due to actual discounts given.
- GF 35 — Appropriates revenue to cover jail supplies.
- GF 36 — To transfer between line items and allocate additional funding at DSS.
- FD1 — To allocate estimated fire and rescue tax collections.
- UENT1---To amend the budget to transfer funds to the Universal building project.

Commissioner Hollifield made a motion to approve GF28-36, FD1 and UENT1 , second by Vice-Chair McPeters . Discussion was held on the Kids Safety Camp. By unanimous vote, the motion carried.

Sidearm and Badge Resolution

Mr. Wooten presented a request from retiring deputy, Randy Branton, to purchase his sidearm and keep his badge. He presented *RESOLUTION AUTHORIZING SALE OF COUNTY OWNED PROPERTY*.

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

Sheriff and EMS Vehicle Financing

Mr. William Kehler, EM Director, presented two ambulance bids per the Board's direction. Mr. Kehler's recommendation was to award the bid to Northwestern Emergency Vehicles in Jefferson, NC, due to being in compliance with the bid request.

Commissioner Hollifield made a motion to approve, Commissioner Crawford second. By unanimous vote, the motion carried.

Ms. Alison Morgan stated the Finance Department had received four responses in regards to the financing of one F450 ambulance for the Emergency Medical Services, and five Sheriff Department vehicles. BB&T responded with the lowest rate of 1.99% for a period of four years, (8) semi-annual payments in arrears. The total would be \$371,140.13.

Commissioner Crawford made a motion to approve Financing Resolution with BB&T for the vehicles, second by Commissioner Hollifield. By unanimous vote, motion carried.

HAZARD MITIGATION PLAN DISCUSSION

Mr. William Kehler presented the Toe River Hazard Mitigation Plan for review and approval. The plan was originally adopted in 2009, and covers Yancey, Avery, Mitchell, and McDowell counties and the municipalities within each. Each entity is being asked to review and approve the plan. The final plan will be submitted to FEMA.

Commissioner Crawford made a motion to approve resolution approving the hazard mitigation plan, second by Vice-Chair McPeters. By unanimous vote, the motion carried.

HOSPITAL PROPERTY DEED RELEASE

Mr. Wooten stated years ago the county purchased land where the hospital now sits. The county then donated the approximately 50 acre tract to the hospital with a condition that it could not be sold or transferred without county approval.

As part of the hospital construction project, McDowell Hospital would like to transfer a small parcel of land (0.72 acre) to a private firm who would then construct a medical office building and lease the space back to McDowell Hospital.

Ms. Carol Wolfenbarger, President of McDowell Hospital, spoke on the reversal of property to the hospital. She stated the board would need to approve the partial release of the deed restriction in order for the construction of the building to proceed.

Vice-Chair McPeters made a motion to approve Declaration of Easement, Subordination Agreement with Deed of Partial Release to McDowell Hospital as presented, second by Commissioner Hollifield. By unanimous vote, the motion carried.

TAX MATTERS

Mr. Wooten stated there was an error on a business tax listing, he recommended the listing be released and re-billed at the correct figure. He stated all other releases and refunds were typical.

Releases, Refunds, & Write-offs

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| Write-offs/Deceased | \$ 4469.00 |
| Refunds | \$ 34.60 |
| MV tax refunds | \$ 1266.21 |
| Releases under \$100 | \$ 1585.34 |
| Releases over \$100 | \$ 1374.10 |

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

DSS RECORD RETENTION SCHEDULE

Mr. Wooten stated the county had received the Records Retention and Disposition Schedule for the Department of Social Services from the State Archives. Recommendation was made for approval of the schedule.

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

COURTHOUSE AND JAIL UPDATE

Mr. Wooten stated the jail project is nearing completion. The scope of the courthouse project has changed a few times; therefore the project is not on the original schedule of completion.

Mr. Wooten stated the electrical and water lines have been separated for the courthouse and the administration building. He also stated he had looked into alternatives for district court space, and being no other options recommended the Board enter into a lease with the House Theatre building to hold court off-site while the renovations are being done. Chair Walker said he didn't see any other option but to lease space to hold court off-site.

Commissioner Brown made a motion to accept terms of lease agreement in order to keep project going forward, second by Commissioner Crawford. Discussion followed. By unanimous vote, the motion carried.

Mr. Wooten stated the architect for the jail/courthouse project had requested additional financial consideration of approximately \$33,000. The architect conveyed to Mr. Wooten, due to unforeseen issues and since there were changes to the scope of the construction they were asking for more funds. After discussion, the Board's general consensus was they were not comfortable with allowing more money, request was denied.

Mr. Wooten stated staff had met with Chuck Hamrick, architect who has done numerous jobs for the county, to discuss resealing of parking deck, and also working on estimates for replacing windows and HVAC. Mr. Wooten also stated the elevator would be functional in the near future.

OFFICE SPACE RECOMMENDATION

Mr. Wooten stated at the Board's direction to locate additional office space, he had located available property next to the administration building. The seller indicated he would sell the property for \$70,000, it is listed just under \$80,000 and the tax value is \$91,920.

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

GRANT PROJECTS UPDATE/APPROVALS

Mr. Wooten stated for many years the county had utilized the assistance of Isothermal Planning and Development Commission (IPDC)- Region C, for grant administration. He added due to financial restraints, IPDC had to scale back their administration services. IPDC identified Western Piedmont Council of Governments (WPCOG), located outside of Hickory, to provide grant administration assistance for our county.

Mr. Wooten and staff have been communicating with WPCOG staff on various grant needs. Western Piedmont helped to get several plans and projects caught up to speed including the Commerce Fellows training grant, the 1-40 waterline projects, and the Universal waterline projects.

Mr. Wooten asked for Board approval on the following WPCOG documents *and Resolution Authorizing Signatories for Appalachian Regional Commission Grant*:

1. CDBG Policies and Procedures
2. Summary of the Policies and Procedures
3. CDBG Language Assistance Plan
4. CDBG Fair Housing Plan
5. Summary of the projects and WPCOG contracts
6. WPCOG Community Fellows Contract
7. WPCOG Quality Assurance Water Line Contract
8. WPCOG 1-40 Water Line Contract
9. Thompson letter
10. Updated Performance Based Contract

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

GREENWAY TRAIL UPDATE

Mr. Wooten presented an update on Phase III of the Greenway Trail, and a breakdown of potential funding sources:

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| *City of Marion - | \$45,000 (Request pending) |
| *Kate B. Reynolds - | \$100,000 (Request pending) |
| *NC Wildlife - | \$11,250 (verbal commitment) |
| Total | \$156,250 pending |

He also stated the McDowell Trails Association (MTA) will be present at next month's meeting to present a \$15,000 contribution toward Phase III. Mr. Wooten stated the staff is also exploring other possible smaller funders that could help pay for specific projects (dog park, horseshoe pits, etc).

Mr. Wooten also stated he has been working with MTA on easement issues with the property owners in regards to Phase III.

BOARD APPOINTMENTS

Chair Walker stated the Planning Board has a full time board member vacancy. The policy is to name an alternate to the full time position. The Planning Board has two alternates, Eric Adams and Van Boyd, both went on the Board as alternates the same day.

The Board then voted by written ballot. The Clerk tallied the votes, and announced the vote was unanimous for Van Boyd.

Chair Walker also presented the Region C Workforce Development Board application from Nikki Pittman, as a second reading, and Steve Early and Mark Weber as a first reading. Both were reappointments. Chair Walker stated these appointments would be voted on at the next meeting.

RESOLUTION ON TRANSGENDER RESTROOM FACILITIES

Chair Walker stated Commissioner Crawford had contacted him over concerns to the position that the Charlotte City Council had taken in regards to transgender bathrooms. Commissioner Crawford's desire was to draw up a resolution, and have it sent to Governor McCrory, Lt. Governor Forest, Attorney General Cooper, Rep. Dobson, and Senator Hise, stating their desire to have the state step in and prevent an item that was introduced to Charlotte City Council by a convicted sex offender. Commissioners held discussion on their opposition to the Charlotte proposal.

Commissioner Crawford made a motion to send the resolution to elected state officials asking them to ban transsexual individuals from having the option what bathroom they attend, second by Vice-Chair McPeters. By unanimous vote, the motion carried.

REPORTS AND COMMUNICATIONS

Mr. Wooten stated the senior housing study would be presented at the April meeting. He has requested the consultant to be present at the meeting also.

PUBLIC COMMENT

Louie Parrow spoke on his appreciation for the Board, and all they do.

ADJOURNMENT

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

DAVID N. WALKER
CHAIRMAN

CHERYL L. MITCHELL
CLERK TO THE BOARD