

**STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL COUNTY
BOARD OF COMMISSIONERS
REGULAR SESSION – SEPTEMBER 10, 2018**

Assembly

The McDowell County Board of Commissioners met in regular session on Monday, September 10, 2018, at 5:00 p.m., in the Commissioner's Board Room of the County Administration Building, 60 East Court Street, Marion, North Carolina.

Members Present

David Walker, Chair; Barry McPeters, Vice-Chairman; Tony Brown; Lynn Greene; and Brenda Vaughn

Members Absent

None

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 Greene made a motion to approve the August 20, 2018 Regular Session minutes, second by Commissioner Brown. By unanimous vote, the motion carried.

Approval of Agenda

Chair Walker called for any additions or deletions to the agenda. There were none.

Commissioner Greene made a motion to approve the agenda as presented, second by Commissioner Vaughn. By unanimous vote, the motion carried.

Alberto Update/Rescue Recognition

William Kehler, Emergency Management Director, gave an update on the request for a federal declaration for Alberto, and also an update on Hurricane Florence. A federal declaration request for Alberto had been denied, due to being treated as two separate events that lasted over 15 days. The denied decision has been appealed, and a final decision should be received by September 20th. Mr. Kehler noted there were over 800 calls for service during the 24-hour period of the Alberto storm. The county was blessed with no fatalities from the storm.

Chief Ron Richardson, Old Fort Fire Department Chief, gave a presentation on the rescue life-saving event that happened on May 29th on Catawba River Road. A state DOT tandem dump truck was swept off the roadway by a mudslide, into the river with two men in the truck. The men were able to be pulled out of the river with throw bags, rescue rings, and a 24 ft. ladder. While rescuing the men the truck broke loose and continued upside down 1100 feet down the river.

Some of the firefighters and EM personnel were in attendance and were recognized for their heroic service.

Transportation Update/Resolution

Randall Conley, Transportation Director, gave an update on the Transportation Department and requested approval for a resolution for ROAP funding for FY19. The total amount allocated was \$159,253.

Commissioner Brown made a motion to approve the *Certified Statement FY2019 Rural Operating Assistance Program*, second by Commissioner Vaughn. By unanimous vote, the motion carried.

175th Anniversary Celebration Update

Martha Jordan, Interim Director of the Historic Carson House, and Chuck Abernathy, Historic Carson House Board President, gave an update on the festivities planned for the 175th celebration. The dates are September 22-29, 2018.

Commissioner Brown made a motion to approve *A Proclamation Honoring the 175th Anniversary of the Founding of McDowell County*, second by Vice Chair McPeters. By unanimous vote, the motion carried.

Tax Matters

Mr. Wooten presented a request from Ms. Linda Onufrey, Tax Collector to charge off uncollected taxes for the 2007 tax year in the amount of \$113,655.66 as of August 31, 2018. The amount was not included in the accounts receivable annual audit report because by statute the funds were not collectible.

<u>Releases, Refunds, & Write-offs</u>	
MV tax refunds	\$ 777.49
Releases under \$100	\$ 15.76
Releases over \$100	\$ 8,112.61
Refunds	\$ 199.90
Discoveries	\$ 6,410.99

Vice Chair McPeters made a motion to approve tax matters and tax write-offs, second by Commissioner Vaughn. By unanimous vote, the motion carried.

Ambulance Donation Request

Mr. William Kehler requested the county donate a surplus 2008 Ford ambulance to MTCC for training purposes. The vehicle would be used within the MTCC EMS Program and the

McDowell High School Public Safety Academy.

Vice Chair McPeters noted for the fifth year the high school program has taken 1st place in state competition.

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

Fire Department Waiver Request

Sugar Hill-Montford Cove Fire Department requested tipping and inspection fees be waived for their new fire department building being built on Zion Hill Road. The inspection fee waiver was \$2,143.50.

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

Smoking Policy Amendment-First Reading

The current smoking policy prohibited smoking within 50 feet of the courthouse doors and recreation properties. The proposed policy will prohibit smoking/vaping on the lawn of the McDowell County Courthouse, and also prohibit smoking/vaping within 50 feet of any door of the Courthouse. Vice Chair McPeters requested the policy be made known to attorneys.

There was no action due to being the first reading.

Road Bond Approval

The developers of The Enclave requested approval for a road bond. The agreement guarantees the roads will be completed regardless if the developer remains in business or not.

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

Pay Plan Additions

Human Resources department asked for approval of a new pay plan so that new positions could be added in the budgeting process.

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

Energy Programs Outreach Plan

The Department of Social Services submitted their Energy Programs Outreach Plan for review and approval. The plan laid out for the state and the public how the department will provide information about their energy programs. The two programs are Crisis Intervention Program and Low Income Energy Assistance Program.

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

Accounting Policy Amendment

After review from the US Dept of Justice of the FY2017 audit report and auditor's findings, the department requested additional review processes be added to the County's existing policy. The Finance staff added several new accounting/human resource forms to aide in the review process.

Due to the request of a formal response to the Dept. of Justice, Finance requested the second reading be waived for the policy change.

Commissioner Greene made a motion to waive the second reading and approve the policy, second by Commissioner Vaughn. By unanimous vote, the motion carried.

NCACC Legislative Goals

The NC Association of County Commissioners asked for input from the Board on legislative goals for the association to lobby for from legislature. Mr. Wooten presented two suggested goals from Lisa Sprouse, DSS Director.

- 1) Requirement to work in order to receive Medicaid. The exceptions would be given to those who meet exemptions such as a disability or lack of child care, resulting in a greater work force. The income limits could be increased to account for this requirement.
- 2) The NC Health Choice Program could be expanded to offer more programs for households with higher incomes. Another category above K that requires a slightly higher yearly fee, but would still be less than the premiums through the State. This would be more affordable for families than purchasing family plans through their employer's insurance and would lead to more parents being able to maintain their employment.

The Commissioners recommended the third goal.

- 3) Environmental Health retirees to be able to resume work after retirement and not have to work for one year job shadowing, since they already have their certification. Commissioner Brown noted he had asked Rep. Josh Dobson for assistance with this issue. Rep. Dobson had asked for consideration of Environmental Health retirees, and his request was denied by the Insurance Commission. Chairman Walker suggested a letter be sent to the legislative positions, because small rural counties have issues filling the specialized training positions. Vice Chair McPeters noted a letter had previously been sent, and now Rep. Dobson had been denied.

Consensus was to send another letter to legislative officials, and also include the request as a legislative goal.

Personnel Vacation Policy Change- Second Reading

The requested Vacation Policy change allowed employees from other local government employers to use their creditable time in the computation of their vacation leave. The policy change:

For the purposes of this Section 2 (a) "years of service" is defined as the employee's creditable time as recorded by the NC Local Governmental Employees Retirement System or Teachers and State Employee Retirement System for employees of McDowell County Cooperative Extension.

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

Board Appointments

The Planning Board had three vacancies presented as a second reading. Applications were received from Sam Dotson; Coy Edwards, Jr; Benny Stamey; Alex Portelli.

After reviewing the applications the Board voted via written ballots as follows:

Unanimous vote for Coy Edwards and Sam Dotson;

Benny Stamey--Chairman Walker; Vice Chair McPeters; Commissioner Brown; Commissioner Vaughn

Alex Portelli --Commissioner Green

The Clerk will notify the applicants of their appointment.

Medicaid Transition Update

Brian Ingraham, VAYA Health, gave an update on the Medicaid transition that was initiated by the state several years ago. He noted it was a complicated complex process that continues to change. There are two options; standard plans and tailored plans. NC Medicaid is moving to a model called "managed care." In managed care, people enroll in a health plan that is run by an insurance company. Participants will get to choose a health plan that best fits their needs.

Eligibility is not changing for Medicaid, and the participant's share of Medicaid costs will stay the same.

Chairman Walker suggested a workshop due to the complexity of the changes.

Hospital Property Discussion

McDowell County donated in 1982 approximately 50 acres to Marion General Inc. for the purpose of constructing a hospital. The deed had two restrictions on the property: 1) the land must be used for hospital purposes and, 2) the property could not be conveyed. The county retained the right to waive either restriction.

Mission Health requested the second restriction be permanently eliminated so the current transfer to the HCA could happen, and any subsequent transfers could happen without the approval of the county. Mission consented to the restriction remaining for the property use.

Mr. Wooten and Mr. Coats, County Attorney, discussed the request with the UNC School of Government. Their opinion was as long as the operators subsequent to Mission Health operate the facility with the purpose of caring for the health needs of the general public then

there should not be any statutory or constitutional issues for removing the restriction regarding conveyances.

Commissioner Brown asked Attorney Coats if HCA ever stopped operating as a hospital would the property revert back to the county. Attorney Coats responded the reversion was in the initial deed and yes it remained in this deed.

Chairman Walker noted benefits of HCA purchasing Mission Health would be \$15M to be dispensed \$5M each year over three years; also HCA is for-profit and would be paying county and city taxes.

Commissioner Greene made a motion to approve the removal of the conveyance, second by Commissioner Vaughn. By unanimous vote the motion carried.

Health Department Update

Per Commissioner Greene's request, Mr. Wooten provided additional information on a stand-alone Health Department. McDowell County currently provides \$382,111 to the health district. If the Board were to consider establishing a county health department the funding level would need to increase significantly. Last year staff presented a shortfall of around \$300,000 to maintain the current level of services.

Karen Powell, Health Director, gave an update on the Health Department. There were two people hired within the last two months. Due to the impending hurricane, they will not be able to start their certification this week. She explained the salaries need to increase to hire environmental health inspectors, and the only way to make money is to raise user fees. She added Rutherford and Polk had increased their user fees, and McDowell had not. Also, Environmental Health does not receive state funding. Ms Powell stressed the inspectors are not available, and she had been to state universities begging for the students to come to the Health Dept.

Consensus from the Board during the budget process was not to increase user fees due to the long wait time for services to be provided from the Health Dept. Ms. Powell pointed out there were other services than environmental services the Health Dept. offered. The Board was aware there were more services the county would be responsible for, and had received information on the entire department.

Commissioner Greene noted McDowell County had needs as great as Polk and Rutherford, and wanted to ensure our county received the same prompt service as the district.

Vice Chair McPeters read a letter from the Home Builders Association (HBA) in support of a standalone health department.

Commissioner Brown added he had seen no sign of services getting better, and realtors as well as contractors were complaining to him, and they wanted to see changes. He added if Ms. Powell could prove him wrong, he would publicly apologize for wanting a standalone department.

Commissioner Vaughn noted the department was stifling growth of the county by having to wait on inspections for as much as three months.

Chairman Walker stated he appreciated the concern of the Health Department employees, and also the concerns of the Home Builders Association.

Vice Chair McPeters asked if part time inspectors were still working on the weekend.

Ms. Ruth Keener reported the county backlog was currently three weeks, and 20 permits are currently being held. She also stated last month the wait was seven weeks.

Ms. Powell noted there were three empty spaces on the district health board from McDowell County. The vacant positions were for a pharmacist, a dentist and an at-large member.

Reports and Communications

Mr. Wooten noted the Board had been invited to hold their October 8th board meeting at the Historic Carson House.

Citizen Comment

Ruth Keener-Processing Asst with the Health Dept asked for the Board to meet with the department heads of the Health Dept. She also felt the fees should be higher for Environmental Services. She added some of the issues with the permitting were due to the applicant not completing the work requested in order to have the inspection done.

Sherry Bright-discussed services provided by the health dept---immunizations; controlled program to provide mammograms; communicable disease nurse; maternity; family planning; administration to help with paperwork; WIC,etc. She felt the Board should consider all functions of the Health Dept before forming a standalone department.

Corey Morris—The World Equestrian Games in Tryon had not taken inspectors away from McDowell.

Dave Kehler—as a member of the HBA appreciates the nurses and all they do. He added Ms. Keener had been wonderful and very helpful. Another issue he saw was the bank approved letter was only good for 90 days.

Ben Hall—apologized for his comments made at last meeting with the Commissioners. He wanted to clarify his comment regarding Ms. Powell was Captain of the Titanic. It was a reflection on the difficulties of maintaining inspectors, and nothing to do with her outstanding work. He also suggested placing a contractor on the Health Board and was willing to serve.

Ginger Webb—spoke about the comprehensive Recreation Department plan from 2014; also the ball fields and pool need major improvements.

Jessica Ross—3rd grade teacher at North Cove Elementary, spoke about the needs for recreation options for adults. She had called the Recreation Dept and asked what was available for adults and was told nothing. In her opinion the Recreation Department has issues.

Adjournment

There being no further business to transact at this time, upon motion by Vice Chair McPeters, second by Commissioner Greene, the meeting was adjourned to October 8th at 4:00pm.

DAVID WALKER
CHAIRMAN

CHERYL MITCHELL
CLERK TO THE BOARD