

**STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
BOARD OF COMMISSIONERS
ADJOURNED MEETING-June 10, 2010**

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ASSEMBLY

The McDowell County Board of Commissioners met in an adjourned session on Thursday, June 10, 2010 at 4:00 pm for the purpose of continuing the budget process, handling certain items of business and continuing the discussion on the Old Fort Law Enforcement proposal received from the Town of Old Fort.

MEMBERS PRESENT

David N. Walker, Chairman; Barry E. McPeters, Vice-Chairman; Dean Buff, Michael Lavendar, and Andrew K. Webb.

OTHERS PRESENT

Charles R. Abernathy, County Manager; Alison Morgan, Finance Officer; Sheriff Dudley Greene; Mike Conley, McDowell News; Tom Kenney, Foothills Conservancy; Jimmy Hienz, District Health Director; and approximately seventy-five citizens.

CALL TO ORDER

Chairman David Walker called the meeting to order and welcomed all of those in attendance to the meeting. He stated that it was the intent of the meeting to address various budget items from 4:00 pm until 5:00 pm and then to address the Law Enforcement proposal from Old Fort at 5:00 pm.

BUDGET ISSUES

Tom Kenney with the Foothills Conservancy met with the Board to request funding in the 2010-2011 fiscal year budget. Mr. Kenney reviewed a variety of projects that McDowell County and the Conservancy had accomplished including the Catawba Falls access project. He stated that the Conservancy was focusing on farmland preservation and providing affordable farm ownership options for landowners. He stated that the effort would supplement the Voluntary Program and the Ordinance already in effect in McDowell County. The request was for \$2,500 and would be used to match grants that were being sought by Foothills Conservancy. Several questions were asked by Board members including issues related to taxable revenue and government ownership or land, other counties that had made similar contributions and the need for Foothills Conservancy to better understand the current farmland preservation program in McDowell County. The Board members thanked Mr. Kenney and told him they would let him know of their decision.

The second budget item concerned the fee schedule for the Rutherford, Polk McDowell Health Department. Health Director Jimmy Heinz addressed the Board and specifically noted the need to increase the fees for septic inspections and for the fees to be consistent across the District. He noted that some of the fees varied and that McDowell was higher in some areas but lower in the septic inspection fee schedule. He stated that cost related fees (or user fees) were appropriate for health related services such as septic inspections and that the Environmental Inspection area was operating in a deficit. In addition, because of the turn-down in the economy and the reduction in housing construction the department had laid off one-third of the staff in this service area. Commissioner Lavendar noted that many operations in government operate "profitable" areas and "unprofitable" areas and that it was not uncommon for one area of a service to supplement another. Commissioner Webb asked about the issue of Medicaid and how it affected the Health Department budget. Commissioner Buff asked about the need for a third position and the length of time taken to process a septic permit. The Board members thanked Mr. Heinz and told him they would decide budget issues by the end of the month.

County Finance Officer Alison Morgan presented budget amendments for the Boards review. The amendment in the building and grounds budget was questioned and the county manager provided information on the various projects and repairs that had to be undertaken over the course of the year including roof repairs and heating and air systems. A motion was made by Dean Buff and seconded by Andrew Webb to approve the amendments and the motion passed unanimously.

INSERT AMENDMENTS

OLD FORT LAW ENFORCEMENT DISCUSSION

Chairman Walker again welcomed everyone that was in attendance on the matter concerning the Old Fort Police Department. As background, Chairman Walker briefed those in attendance on the matter including the previous meeting and assured the people in attendance that they would be granted the opportunity to raise questions and make comment. Chairman Walker next recognized the County Manager for the purpose of reviewing the cost and various issues raised. The County Manager reviewed the cost to the County under the agreement and also reviewed various issues related to insurance liability, manpower, vehicle replacement and medical insurance. The financial overview represented a consensus with the Sheriff and the Finance Officer. The County Manager indicated that the agreement could be made to work within the \$150,000 suggested by the Town Board with the exception of vehicle replacement, medical insurance costs and the need to add an additional person. The amount needed to hold the County harmless would be between \$185,000 and \$205,000. A general discussion followed and many questions were asked by Board members.

Chairman Walker next recognized various individuals to speak or ask questions on the information presented. Over twenty people spoke and raised issues ranging from transition costs, computer costs, liability, concerns about the process by the Town Board,

radar and traffic enforcement, the safety of children, personnel issues, the security for the business community, issues related to the Interstate and Old Fort Mountain and many other issues. All of the people except one voiced concern about the proposal. The overwhelming consensus of the meeting was that the proposal should be rejected. The Commissioners and county staff answered the questions that were raised.

Chairman Walker asked for the pleasure of the Board. Commissioner Webb asked that the Board first discuss the matter before receiving a motion. The discussion focused on requesting the Town Board to rescind their proposal in order for the complex issues associated with the concept to be better understood. A motion was made by Commissioner Buff and seconded by Commissioner Webb to request that the Town Board of Old Fort reinstate the Police Department to provide 24 hour 7 days a week coverage. If this is not done, then the Board of Commissioners would request a meeting in Old Fort between the two Boards to resolve issues in an effort to reach an agreement. There was some discussion on the motion and then the motion was unanimously approved.

ADJOURNMENT

There being no further business to conduct the Board Chair adjourned the meeting.

David N. Walker, Chairman

Charles R. Abernathy, County
Manager