

**STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
BOARD OF COMMISSIONERS
REGULAR SESSION – JUNE 13, 2011**

ASSEMBLY

The McDowell County Board of Commissioners met in regular session at 5:00 p.m. on Monday, June 13, 2011, in the Commissioners' Board Room, the usual place of meeting.

MEMBERS PRESENT

David N. Walker, Chairman; Barry E. McPeters, Vice-Chairman; Andrew K. Webb; Michael K. Lavender; and Joshua R. Dobson.

OTHERS PRESENT

Charles R. Abernathy, County Manager; Carrie Padgett, Clerk to the Board; Teresa Strickland, Public Information Technician, (Filming); and reporter Mike Conley, for THE McDOWELL NEWS.

CALL TO ORDER

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

APPROVAL OF MINUTES

Minutes of the May 6, 2011 special meeting, the May 9, 2011 regular meeting and the May 23, 2011 special meeting were presented for approval.

With no corrections being made, Commissioner McPeters made a motion to approve the minutes as presented. Commissioner Lavender seconded the motion and the vote was unanimous for approval.

APPROVAL OF AGENDA

Concerning the agenda, the County Manager advised Ron Johnson would be making the presentation on the HAM Operators along with Eddie Epley and Larry Withrow.

Upon motion by Commissioner McPeters and a second by Commissioner Lavender, the agenda was approved as amended.

SALUTE TO VETERANS PRESENTATION

The Chairman thanked Mr. Randy Hollifield and those who had assisted him, particularly his daughter Landdis, for all they had done in honor of the veterans last month. Mr. Hollifield thanked the Board for their support and the involvement of the churches, businesses, and the community, advising that about 12-15,000 people came through to view the Memorial Wall while it was in Marion. Mr. Hollifield advised that as a continuing tribute, they will be building their own “memorial wall” which is going very well with the sale of bricks now approaching 500. They will soon begin building this wall, hoping to have it built and dedicated around Veterans Day, which is November 11th.

Each Commissioner shared his personal comments concerning the Memorial Wall while it was here. They expressed their appreciation to Mr. Hollifield and those who had assisted him in organizing this event and bringing the Wall to McDowell County.

On behalf of the Board, Chairman Walker and Vice Chairman McPeters presented a framed copy of the following Proclamation to Mr. Hollifield:

*McDowell County Salute to Veterans
Recognition Week
Proclamation*

WHEREAS, America is the land of the free and home of the brave; and

WHEREAS, American men and women, devoted to liberty and freedom have unflinchingly answered their nation's call to arms to fight in the air, on the land and one the sea, thousands of miles from home, enforcing our founding fathers' vision; and

WHEREAS, we still believe today that the blessing of liberty, freedom and justice require constant vigilance, determination, and sacrifice; and

WHEREAS, every man, woman and child in our great nation owes a debt of gratitude to those who served their country so unselfishly; and

WHEREAS, these brave Soldiers, Sailors, Airman, Marines and Coast Guardsmen were the sons and daughters of our land; and

WHEREAS, McDowell County answered the call and 140 of her brave made the supreme sacrifice in World War I, World War II, Korea, Vietnam and Iraq, so we can continue to live free.

NOW, THEREFORE, BE IT RESOLVED, that the County of McDowell, the City of Marion, and the Town of Old Fort in the great State of North Carolina do jointly declare the week of May 9-15, 2011 "McDowell County Salute to Veterans Week", and

BE IT FURTHER RESOLVED, that all are asked to commemorate the contributions and sacrifices of those men and women who placed their lives in harm's way, preserving American values and protecting democracy for the world, and

BE IT FURTHER RESOLVED, the observance of "McDowell County Salute to Veterans Week" appropriately pays honor and expresses gratitude to all those that have ever worn a uniform of any of our great military services and gave so much to the world and our great nation.

Signed by:

Salute to Veterans Committee:

*Randy Hollifield, Chairman
Frank Dean, Co-Chairman
Landdis Hollifield, Secretary/Graphics
Jerry Pritchard, Treasurer*

McDowell County:

*David Walker, Chairman
Barry McPeters, Vice-Chairman
Andrew Webb, Commissioner
Michael Lavender, Commissioner
Joshua Dobson, Commissioner
Charles Abernathy, County Manager*

City of Marion:

*Steve Little, Mayor
Lloyd Cuthbertson, Mayor Pro Tem
A. Everette Clark, Council Member
Juanita Doggett, Council Member
Cecil Owenby, Council Member
Billy Martin, Council Member
Bob Boyette, City Manager*

Town of Old Fort:

*Garland Norton, Mayor
Carroll Miller, Mayor Pro Tem
Sue C. Gibbs, Alderman
Norman Logan, Alderman
Wayne Stafford, Alderman
Greg Piercy, Alderman*

A second framed copy of the Proclamation was presented, to be delivered to Alan Mainer, McDowell County Veterans Service Officer. Mr. Mainer was unable to attend.

BUDGET UPDATE AND AMENDMENTS

The County Manager presented budget amendments #GF 41 through #59, RevF2, FD 1, DS 1, ENT1, 911F2, and S11 for the Board's approval as follows:

GF 41 – Allocates donated funds and grant revenues in the EMS Department

GF 42 – Amends the proceeds from the loan to purchase Sheriff's vehicles that

were approved and receives One NC funds for two economic development projects

- GF 43 – Increases the Occupancy Tax to reflect the estimated collections
- GF 44 – Does the following in Finance: Amends for the Finance Dept. computer that was approved; the EMS Collection agency (made out of collections); and Rescue Squad billing (collections are higher)
- GF 45 – Shifts funds in Administration and Human Services (a computer crashed in Administration and insufficient funds were budgeted)
- GF 46 – Transfers funds in the Library. The cost of retiree medical insurance claims cannot be shown in the self-insurance fund; rather, they have to be charged back to the department, a requirement that started last year.
- GF 47 – Transfers funds from the economic development line item to Buildings and Grounds. This amendment completes the Library roof, tearing the section of the wall out at the Library, and a number of chillers have gone out.
- GF 48 – Transfers funds within Public Works and also transfers funds from the economic development line item. The major problem is the fuel and maintenance line item and the increase in the cost of fuel.
- GF 49 – Transfers funds with the Sheriff's Department budget
- GF 50 – With counties being responsible for housing juvenile placement, which used to be part of Holly Hills, this amendment transfers funds from economic development for this purpose
- GF 51 – Receives additional revenue in the DSS budget
- GF 52 – Since counties pay sales tax and then are reimbursed, this amendment recognizes the expenditure and reimbursement (is an "in and out")
- GF 53 – Recognizes donations in Cooperative Extension
- GF 54 – Receives donations in EMS
- GF 55 – Transfers funds in the Emergency Management Dept. The salary line item is due to two sicknesses and the fact that the dispatchers have to be replaced when out.
- GF 56 – Transfers funds to cover retiree medical as previously explained

GF 57 – Is the same matter in the Library

GF 58 – Is the same matter in the Register of Deeds

GF 59 – Covers the intern (Jonathan Shuman) from cable revenues and the fee from the NCACC to handle our EMS dedicated reimbursement

RevF2 – Transfers services within the revaluation budget to cover the part-time employee. Revaluation fund balance is also appropriated.

FD1 – Handles anticipated revenue off of the fire tax districts

DS1 – Allocates \$114.00 more from the school reserve fund in interest

ENT1 – Transfers funds within the Enterprise Fund to handle increased fuel cost and several small items. The amount is small compared to some years and the recycling revenue is up.

911F2 – Uses 911 funds to pay for phone lines and handles this. Staff has been told that 911 funds can be used for continuing education for dispatchers from this fund

SI1 – Completes the self-insurance fund for the year. This amendment allocates the claims and fees for the fiscal year without additional general fund dollars having to be transferred

The County Manager advised about seven or eight other amendments would be forthcoming to close out the current year, but said the more difficult ones were being handled today. He pointed out the Board would need to meet a couple more times on next year's budget.

Discussion followed with further clarification on the 911 funds, the source of direction for their use, etc.

Upon motion by Commissioner Lavender and a second by Commissioner Dobson, the budget amendments (GF 41 through GF 59, RevF2, FD1, DS1, ENT1, 911F2, and SI1) were unanimously approved as presented.

The County Manager then passed out information on the latest Sales Tax allotment which showed a shortage of \$53,453.51 on the total sales tax. He pointed out there would be sales tax received in the next fiscal year that will accrue back and things could turn around, but that it doesn't look so this time. Concerning the number for next year, which is projected at 4%, he said sales tax probably should be reduced close to the amount of shortage this year in order to sustain the 4% projected growth.

Continuing, Mr. Abernathy made reference to the Tax Collector's report which showed current year tax collections running about half a percentage point ahead, noting that he would like to spend about half an hour at a future meeting to further update the budget.

PUBLIC HEARING 2011 BUDGET

The County Manager gave a general summary of the recommended Budget for Fiscal Year 2011-2012, noting what state law requires regarding the budget process. He pointed out that a copy of the recommended Budget is available for review in the Clerk's Office and that the recommended budget is online, as well as previous budgets and the County's Audit Report.

Chairman Walker declared the Board in public hearing to receive comments on the Budget for Fiscal Year 2011-2012. He opened the floor for comments from the public, but none were heard.

Commissioner Webb made a motion to close the public hearing. Commissioner McPeters seconded the motion and by unanimous approval, the motion passed.

Commissioner Lavender made reference to one of the capital improvement items (painting) at the College. He advised he had spoken with Dr. Bryan Wilson earlier today regarding this work and Dr. Wilson had informed him Griffith Painting will be taking care of that as long as the County/College provides the paint. This will be close to \$20,000 in labor for this project.

TRAIL EASEMENT DOCUMENT

Chairman Walker asked County Attorney Fred Coats to present the trail easement document.

Mr. Coats presented the survey map prepared by Larry Greene of the property for the Extension to the Point Lookout Trail. The Trail begins on old Highway 70 and will be 16 feet wide rather than 10. A parking area will extend to the east end of the property and will go through the Franklin property about 80 feet. Lifeway Ridgecrest wants a fence in the back and along the sides to prevent any unwanted activity and wants the area to be lit from dusk to dawn. The Franklins as well as Lifeway Ridgecrest have agreed to grant and easement. Mr. Coats gave the G.S. number pertaining to those using the trail and those that will be permitted to use motorized vehicles, etc.

A general discussion followed on the work that grants will or will not pay, who will be responsible for making application for the grants, administering them, etc. Costs and expenses and other non-grant monetary obligations were addressed. Mr. Abernathy referenced the lighting or power bill, noting that if the Trails Association were to dissolve, someone would need to step in to pay bills and do maintenance.

A question was raised as to whether “solar” lighting had been considered. Mr. Coats said this would probably be explored, noting that security wireless was being considered as opposed to having a deputy go up there.

The aspect of foot and bicycle races in the area was mentioned. Mr. Coats said this could be one exception, and does not need to be in the budget for any expenses.

Commissioner Lavender made a motion to authorize staff to enter into an agreement with **property owners with the understanding that grants will be pursued and no definite time table to begin construction at this time**. Commissioner McPeters seconded the motion. Discussion of Section 5.05 (Costs and Expenses) followed. When put to a vote, the motion carried by unanimous approval.

HAM OPERATORS PRESENTATION

Ron Johnson, Eddie Epley and Larry Withrow, representing the McDowell Amateur Radio Association (MARA), came before the Board for a presentation. Chairman Walker noted their upcoming Field Day, scheduled for June 25th and 26th in the back of the Wal Mart Parking Lot. Mr. Johnson, spokesman for the group, invited the Commissioners to attend this event.

Mr. Johnson proceeded to explain that MARA is a group of trained amateur radio operators, licensed by the FCC to perform advanced communications, whose members are mostly members of a national organization that provides communication assistance to federal, state and local agencies during disaster related incidents. Their membership is about 30, with 20 being active. Many members have completed a number of incident command system training modules and they are listed in NC State Emergency Management guidelines in the Emergency Action Plan of McDowell County for emergency communications.

MARA provides communications support for McDowell County agencies in times of disaster or local emergencies as directed by the Emergency Management Director, provides member training on current and emerging communication equipment and techniques, and provides FCC license testing by certified volunteer examiners. They have improved communication capabilities for all City and County emergency service agencies by tuning antennas for all emergency vehicles in the County and helped with the development and implementation of the County’s mobile command bus providing McDowell County with one of the top 3 emergency communication capabilities in the state. They installed Marion Police Department’s base station and antennas, installed 900 MHz antenna for the Highway Patrol on Grant’s Mountain tower and assisted in the antenna installation for their Viper System. They also set up a communication system for the Red Cross and maintain a county-wide repeater system on Grant’s Mountain, as well as provided communications support for various other exercises, operations, etc.

Continuing, Mr. Johnson advised what they offer to the County is to provide communications assistance, coordination and equipment to any emergency services

agency at the request of the Emergency Management Director, and they have communication equipment on site capable of providing backup communications with and between any county agencies. They can provide 911 system support (except addressing and mapping) with the portable command post and they provide access to a network of repeaters all over Western North Carolina.

In conclusion, Mr. Johnson said they plan to continue to support county emergency agencies and to provide training in new and advanced communications. They also plan to implement an automatic position reporting system and a WinLink 2000, a global radio based email system.

A general discussion followed on what they had done recently in an emergency and some of the mandates that will be coming soon. Mr. Withrow mentioned the difference made in the last 15 years as far as cooperation among the various agencies that serve in the County.

ECONOMIC DEVELOPMENT UPDATE

The County Manager advised that since the announcement had been made on the Rock Tenn expansion, the second public hearing would be held, and is scheduled for Friday, June 24th, at 12 o'clock noon. He pointed out the public hearing might be combined with a budget meeting, if the Board is in agreement.

Commissioner Webb made a motion to hold the public hearing as scheduled in order to not slow progress. Commissioner Lavender seconded the motion which passed by unanimous approval.

DMV AWARD AND CONTRACT

The County Manager presented the License Plate Agency Contract awarded by the Department of Transportation for McDowell County to operate the DMV Tag Office. The Contract is for a three-year period beginning May 16, 2011 and ending May 15, 2014.

Commissioner Lavender made a motion, seconded by Commissioner McPeters, to accept the License Plate Agency Contract as presented. The motion carried by unanimous approval.

MAPLE LEAF WATER AND SEWER

The County Manager updated the Board on discussion of connecting the Maple Leaf Complex to municipal water and sewer. He advised the City has agreed to waive the tap fees and to accept maintenance of the entrance road to the point at which the concrete changes and where the road widens into the parking lot, a distance of approximately 600 feet. Mr. Abernathy advised he needed to check with the County's Facility Maintenance Director on the amount needed for plumbing connections.

In discussion, Chairman Walker stated he appreciates the Mayor, Councilman Billy Martin and members of the Utilities Committee and how they have cooperated in this effort. Mr. Abernathy noted the City is looking at fixing the potholes on the road (after July 1). Commissioner Lavender raised a question on plumbing costs. Mr. Abernathy advised he does not have those figures because of issues that need to be resolved first.

Commissioner Webb then made a motion to move forward with this project with the City's assistance as indicated in discussion. Commissioner McPeters seconded the motion and by unanimous approval, the motion carried.

FACADE GRANT UPDATE

As an update, the County Manager said he is excited about this project, noting this will "spur on" activity. He said he loves the thought that main street is the main focus. He mentioned the "Tarpley Building" and the "Russell Neighbors Building", both of which will be painted. Commissioner Dobson echoed Mr. Abernathy's comments, noting this is a good place to start.

WATER LINE UPDATE/NEBO

Concerning the Harmony Grove Road extension, the County Manager advised there were 40 applications already, somewhat higher than normally seen. He noted this would be properly advertised to give residents opportunity for tapping on. They have embarked on the South Creek project and are working off of a \$150,000 price from the contractor, but he thinks it may be lower. The water line is about 75% complete and it will go a little past the Oak Hill Drive. Mr. Abernathy noted that he had asked staff to have the engineer to give the price to continue to one particular home owner that has expressed an interest, as well as the price to finish the whole extension. As yet, he did not have those prices but will share them when they are received. He pointed out it will be cheaper to do work while a contractor is out there and that things are looking very favorable.

Commissioner Lavender addressed a scenario where a property owner touches the road even though his house faces another road. Mr. Abernathy said there are all sorts of options here and that in fact, he was very impressed with all that is happening.

Mr. Abernathy mentioned the possibility of going out for another community meeting in hopes of gaining more people, etc. Chairman Walker said he liked this idea.

GOLDEN LEAF GRANT PROCESS

The County Manager advised he did have a meeting with individuals from the Golden Leaf Foundation and they are ready to begin the process of identifying projects for a grant(s) totaling \$2,000,000. The process will be very community oriented with

emphasis on education, economic development, and workforce development priorities. A local review board will be named and will depend on the types of projects or issues that are identified. The process will take around five months and will be done concurrently with Yancey County.

The initial meeting to begin the process is scheduled for 4:00 p.m. on Thursday, July 14th, at the Senior Center. Pat Cabe with Golden Leaf will facilitate the meeting.

APPOINTMENT OF SCHOOL/COLLEGE/COUNTY COMMITTEE

Chairman Walker made reference to the Utility Committee, with representatives for both the County and the City of Marion, and how this has worked out in resolving issues of mutual interest to both entities. The Chairman advised there had been some discussion recently with Dr. Trollinger, Superintendent of Schools, about how a similar arrangement would benefit everyone in getting things resolved for the School System, McDowell Tech and the County. He gave opportunity for other Board members to comment.

Commissioner Dobson said it is helpful any time they can enhance the lines of communication. The other Board members agreed. Chairman Walker directed the County Manager to move forward with getting the committee organized. Mr. Abernathy said this is very positive move and suggested that the County host the committee and meetings. He asked that the Board think about the date, time, etc. Concerning this, Commissioner Dobson suggested sooner rather than later.

SECONDARY ROADS PUBLIC HEARING

The County Manager advised the Department of Transportation had set the date for the Annual Secondary Roads Public Hearing for Monday, August 8, 2011, the date for the Board's regular meeting. The meeting will begin at 3:30 p.m., giving the public a good opportunity to meet with them. By consensus, the Board was in agreement.

BOARD APPOINTMENTS

The vacancy on the Jury Commission was presented on second reading. Marjorie Caudle had applied for reappointment and was the only applicant.

In April, the Board had appointed Leah (Hoppi) Robertson to the Adult Care Home Community Advisory Committee. The Regional Long-Term Care Ombudsman was now requesting that she also be appointed to the Nursing Home Committee. This appointment was presented on first reading.

Commissioner Lavender made a motion to suspend the rules and proceed to appoint. Commissioner McPeters seconded the motion and by unanimous approval the motion carried.

With Darren Waugh's term on the McDowell Tech Board of Trustees to expire on June 30th, this vacancy was presented on first reading with brief discussion following.

The Board voted on the two vacancies presented (Jury Commission and Nursing Home Committee). By unanimous approval, Marjorie Caudle was appointed to the Jury Commission and Leah (Hoppi) Robertson was appointed to the Nursing Home Committee.

The County Manager mentioned the NCACC appointment for District 15, noting that it is McDowell County's term for making the appointment. He said he would place this item on the agenda.

WATER AND TAX MATTERS

The County Manager presented the water adjustment in the amount of \$131.63 issued by the Finance Officer and the tax releases and refunds for the Board's approval. In summary, the tax releases and refunds were as follows:

Releases Under \$100.00	Released amount of \$1,573.17
Releases Over \$100.00	Released amount of \$1,477.12
Motor Vehicle Releases Under \$100.00	Released amount of \$795.81
Motor Vehicle Releases Over \$100.00	Released amount of \$604.00
Release Refunds	Refunded amount of \$7,285.40

A motion was made by Commissioner Webb to grant the requested water adjustment based on the information received. Commissioner Dobson seconded the motion and by unanimous approval, the motion carried.

Commissioner Lavender made a motion to approve the tax releases and refunds as presented. Commissioner Webb seconded the motion and it passed by unanimous approval.

REPORTS AND COMMUNICATIONS

Chairman Walker informed the Board of the special service scheduled at Zion Hill Baptist Church on July 3rd at 10:45 in recognition of County officials, emergency and law enforcement personnel. He said an invitation would be out soon.

Commissioner Webb mentioned Tax Collections, commending them on how they "go beyond the call" in resolving issues (such as those related to sub-divisions). He noted the collection rate is up a half percent and said he appreciates how this is handled.

CITIZEN COMMENT

No one had signed up to speak at this time. However, Mr. Bob Barnes, who was sitting in the audience, asked about the next date for the Board of Equalization and Review.

In discussion, the Board considered the dates of June 23rd or 28th and July 12th. By consensus, the Board agreed on June 28th at 5:00 for the next Board of E&R meeting.

CLOSED SESSION/ECONOMIC DEVELOPMENT

Chairman Walker called for a motion to go into closed session in accordance with G.S. 143-318.11(a)(4).

Commissioner Lavender made a motion, seconded by Commissioner McPeters, to go into closed session. The motion carried by unanimous approval.

Mr. Abernathy, as Economic Development Director, gave the Board a brief overview of this project, after which company officials addressed the project in more detail. Guests then left the room and the Board had further discussion.

Commissioner Lavender made a motion, seconded by Commissioner Webb, to go out of closed session. The motion carried by a unanimous vote.

REGULAR SESSION RESUMED

When back in regular session, Chairman Walker stated that as a result of the closed session just ended, no action was to be taken nor news to be given concerning this matter.

ADJOURNMENT

The County Manager asked if the Board could adjourn to Friday, June 17th, at 11:30 a.m. to continue work on next year's budget, noting that Davidson's Fort and maybe one more group wanted to meet with the Board.

There being no further business to transact at this time, upon motion by Commissioner Webb, a second by Commissioner Lavender, and by unanimous vote, the Board adjourned until Friday, June 17th, at 11:30 a.m.

DAVID N. WALKER, CHAIRMAN

CARRIE PADGETT
CLERK TO THE BOARD