

**STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL
BOARD OF COMMISSIONERS
REGULAR SESSION – NOVEMBER 5, 2012**

ASSEMBLY

The McDowell County Board of Commissioners met in regular session at 5:00 p.m. on Monday, November 5, 2012. As usual, the meeting was held in the Commissioners Board Room of the County Administration Building. However, due to Veterans Day on Sunday, November 11th, which was observed by the County on the second Monday, November 12th, the Board had agreed to meet on the first Monday rather than the second Monday. The change of date was duly advertised.

MEMBERS PRESENT

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

OTHERS PRESENT

Charles R. Abernathy, County Manager; Carrie Padgett, Clerk to the Board; Ashley Wooten, Assistant to the County Manager (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 Webb.

APPROVAL OF AGENDA

With no changes to the agenda being made, Commissioner Dobson made a motion to approve the agenda as presented. Commissioner McPeters seconded the motion and by unanimous approval, the motion carried.

APPROVAL OF MINUTES

Minutes of the October 8, 2012 regular session were presented for approval.

With no corrections being made, Commissioner McPeters made a motion, seconded by Commissioner Webb, to approve the minutes as recorded. By unanimous approval, the motion carried.

BUDGET UPDATE WITH AMENDMENTS

The County Manager provided his monthly update on the budget including a report from the Tax Collector, and the sales tax report.

Budget amendments and two Close-Out Project Fund Resolutions were presented as follows:

GF 4 – Allocates donated funds in the Cooperative Extension Program

GF 5 – Allocates grant and loan proceeds from the prior year for the Sheriff and EMS Departments

GF 6 – Covers the business audits and tax discounts.

GF 7 – A fire department requested and received a \$50,000 loan from the loan pool

GF 8 – Allocates transportation grant funds that were received

GF 9 – Transfers funds based on a retirement in EMS/EMA (Mavis Lavender). No new funds are part of this amendment; it is only a transfer.

GF 10 – Allocates additional federal, state and donated dollars that were reserved in DSS. It also includes new federal funding.

GF 11 – Allocates reserve funds in the Library

GF 12 – Allocates reserve funds in Recreation. The project was the restroom project at Maple Leaf.

GF 13 – Adds funds to the property and vehicle insurance line item. The estimated annual cost was too low and the prices came in higher.

GF 14 – Allocates funds for the changer order at the Hospital Trail. This is in the amount of \$5,500.

GF 15 – Allocates jail reserve funds in the Sheriff's Department

PART F – Adds \$11,000 to the Trail project. The Hospital is donating or matching our \$5,500.

First resolution – Closes out the Harmony Grove/South Creek water line

Second resolution – Closes out the Nebo water line

A brief discussion followed.

Commissioner McPeters made a motion, seconded by Commissioner Dobson, to approve budget amendments GF 4-15, PART F1, and the two resolutions as presented. By unanimous approval, the motion carried.

Mr. Abernathy made reference to the monthly budget summary of revenues (larger ones being highlighted) and expenditures. He pointed out the audit is still underway but will be presented in December. The Tax Collector's report showed collections are a percent and a half ahead over the same period last year (now at 58.2 % off the levy) so it appears everything regarding the budget estimate, the estimate used on the levy, and where things stand through October 31 is on track.

Mr. Abernathy advised sales tax is a slightly different situation here. He reminded the Board that he had presented the year end sales tax last month and the year ended \$200,000+ in the black. He pointed out the first month of sales tax for the current fiscal year had been received showing we are \$18,000 in the red. However, with eleven months remaining, he seemed optimistic that this would change and we could soon recover.

In other finance related matters, the Finance Officer posed a question on the small amounts (such as a posting error) that creates a delinquent fee. She pointed out that in a previous meeting a member of the Board had mentioned the idea of having staff handle those smaller amounts without them coming before the Board for approval. However, she was unclear as to whether the Board had actually voted to have this happen.

Commissioner Lavender made a motion to allow staff to handle posting errors, or other County errors, without having to come back for approval of the full Board, with the Board being copied on any transactions handled by staff. Commissioner McPeters seconded the motion.

In discussion, Commissioner Dobson asked if a dollar amount could be placed on those being handled by staff with a simple "copy" to the Board. Chairman Walker agreed that an amount should be established. Commissioner Lavender agreed to place the amount of \$30.00 or less as an amendment to the motion. Commissioner McPeters seconded the amendment.

Further discussion followed on meter errors which are larger amounts.

By unanimous approval, the motion carried, and Chairman Walker noted that with said action taken, the two water adjustments for tonight were handled.

The County Manager then introduced a resolution that would authorize the transfer of County property (five file cabinets) currently stored at Holly Hills as a result of automation by DSS, said property to be used by a 501c (3) entity that represents the Hispanic community (Centro Unido).

Chairman Walker said he would hope that this same consideration would be open to any other non-profit group that may be in need.

Commissioner Webb made a motion, seconded by Commissioner Lavender, to approve the resolution entitled *Resolution Authorizing Donation of Personal Property to Non-Profit Organization*. By unanimous approval, the motion carried.

UPDATE ON MIDDLE SCHOOL PROJECT

Dr. Gerri Martin, Superintendent of McDowell County Schools, came before the Board to provide an overview of the Middle School Project. – She explained the plans for renovation/construction at East McDowell Junior High, noting the schedule for taking bids, opening bids and other aspects of the schedule. Next, she explained the process for West McDowell Junior High, noting the renovations and/or construction that will occur there. She pointed out that extra security is being considered. The process for construction/renovation at the High School will be more extensive in order to take in the 9th Grade Academy.

Chairman Walker expressed his appreciation for those on the committee who are working to make this possible. Dr. Martin expressed her interest in getting the schedule handled to avoid having to move into the new facilities at the last minute.

Discussion followed on growth, current enrollment, etc. The County Manager addressed an additional amendment to the schedule and the positive approach in handling the process to allow opportunity for questions, etc.

PRESENTATION OF RECYCLING CHECK

In other school related matters, Mr. Abernathy explained how the County started years ago to push recycling in the school system, noting the intent is for the money saved in recycling is to be used to enhance the classroom activities. As a result, Chairman Walker presented a check to Dr. Martin in the amount of \$4,135.00 to be used for that purpose.

McDOWELL HOSPITAL PLANNING PRESENTATION

Lynn Boggs, President and CEO of McDowell Hospital, came before the Board to provide information on the Hospital and their long-range planning efforts. Also present were Harold Walker, Chairman of the Hospital Board of Directors, and three other members of the Board.

Mrs. Boggs first noted they are dedicating some of their capital budget to short-term improvements to address today's community needs. Therefore, construction started in October this year and will continue until June 2013 for changes that will occur in the emergency department, main lobby, registration, main hallway, cafeteria, seating/waiting areas, and patient rooms. She noted the Hospital is 30 years old and the finishes and

infrastructure are dated. It was built for inpatient care which was at 80% then—not for outpatient care and accessibility today and tomorrow. She pointed out 76% outpatient ambulatory care is provided today. She advised the physical access at the Hospital is challenging due to topography and that we are at risk of losing our local healthcare presence to systems in other counties/regions if the necessary investments are not soon made.

Mrs. Boggs then shared pertinent questions for a community forum in regard to the Hospital:

- Based on one's own experience, how would you describe the ideal healthcare experience?
- What services and programs not provided today would you like to see in the future?
- What would influence you favorably to receive health care locally? What would influence your decision to travel for health care needs?
- How do you feel about the current location of the Hospital? Could the location be improved?

Commissioner Lavender had a question on mental health care and the competition with the other health facilities. This was briefly discussed.

Concerning the possibility of a new location, a member of the Board asked if maybe a location by the interstate would be a consideration. Mrs. Boggs indicated they are open to that consideration.

In conclusion, Mrs. Boggs addressed the physicians' network of practices and providers including health plus, pediatrics, family physicians, pain management, surgical services, internal medicine, OB/GYN, and orthopedics.

BRIEF RECESS

Chairman Walker called for a brief recess for a technical matter, after which he called the meeting back to order and proceeded with the next item of business.

LAKE JAMES INTAKE PROJECT

First, the County Manager provided an explanation for the delay in getting to this point with this project. He referenced the \$480,000 federal grant and the vast amount of paperwork involved and the intricacies associated with this project. Having made a presentation to the Catawba River Management Group, Mr. Abernathy reviewed details of the presentation focusing on the schedule and the process. He advised one of the early steps that would need to take place is the reclassification of the Lake, noting that he would like to have the appropriate person come in January to show some slides on what the reclassification will involve. Secondly, would be to have the meeting with Duke

Energy concerning the use of their property for the intake. He pointed out the timeline is pretty aggressive.

Mike Waresak, Project Manager with McGill Associates, briefly addressed the project and referenced other groups or entities that might be involved in the reclassification process.

Mr. Abernathy noted the money situation is no doubt a drawback to the speed for this process going forward.

COMPREHENSIVE TRANSPORTATION PLAN

Again, Josh King, Regional Planner with Isothermal Planning and Development Commission, came before the Board to again review the items being recommended for the Comprehensive Transportation Plan. Also present was Ron Harmon, McDowell County Planner.

Information was provided on Highway 70 East and West, being a connector between Old Fort and Marion in addition to the Interstate, and with indications of growth.

Mr. King advised the planning process has taken about a year and a half and he had looked at the future growth of the county, had checked with the City of Marion, and had checked the pedestrian and bicycle portion of the plan.

Mr. Abernathy noted the question of Highway 70 East and the fact that the City is doing its own Transportation Plan. The question of 226 was also referenced.

Mr. King presented the work he had done since the last meeting on Highway 70 with pertinent information on estimates, peak traffic patterns, types of accidents, the possibility of a turn lane, etc. Commissioner Webb said he would rather see a three-lane road instead of a turn lane. Mr. King advised the plan can be amended any time a large company moves in.

A motion was made by Commissioner Dobson and seconded by Commissioner Lavender to approve the Comprehensive Transportation Plan as recommended. By unanimous approval, the motion carried.

UNIVERSAL UPDATE

As an update, Mr. Abernathy advised the Committee had met several times and the meetings had been positive. The Committee was divided into two groups, being Committee A and B, with some logic in how the group was divided. He said the intent for November is that the Committee will meet with the architect and by December they would have the large questions answered and a design finalized, noting that some pretty sizable changes have been made.

Mr. Abernathy briefly addressed the grants that are being worked on and what they will involve and noted a project on which he is working that will create jobs.

Commissioner Webb expressed his appreciation of all the work that is involved and that has been accomplished with this project. Chairman Walker echoed the same sentiments, with special compliments for Mr. Abernathy and Dr. Wilson.

Mr. Abernathy pointed out that Chairman Walker is chairing the meetings, noting that he is pleased with the way things are going. He mentioned the interest of an engineer locating in Asheville who was willing to do a design.

SCATTERED SITE HOUSING GRANT

The County Manager explained the need for formal approval of the contract documents for the 2011 Scattered Site Housing CDBG Project. He pointed out the Board had previously authorized applying for the grant and that these documents would allow the project to proceed. The documents included:

- The Grant Agreement, which outlines the expectations of both the County and the NC Department of Commerce
- The Funding Approval, which details the funding that will be expended on the housing activities. There are no county funds to be expended as part of this project.

Commissioner Lavender made a motion, seconded by Commissioner McPeters to approve the 2011 Scattered Site Housing CDBG Project Contract Documents as presented. By unanimous approval, the motion carried.

CATAWBA FALLS TRAIL GRANT

The County Manager noted the US Forest Service had asked that the County apply on their behalf to the NC Recreational Trails Program in order to continue the trail improvements at Catawba Falls. The new application would primarily pay for the construction of a bridge and related trail improvements. The Forest Service would prepare the application documents and oversee the trail construction. The County simply acts as a conduit for the funds. The County had acted in a similar manner last year for the RTP funding that installed the restroom facility at the parking area.

Mr. Abernathy mentioned his recent hike to the Catawba Falls parking lot and the need for signage.

Commissioner Dobson made a motion, seconded by Commissioner Lavender, to approve the trail grant application as presented. By unanimous vote, the motion carried.

NATURAL GAS EASEMENT TO MTCC

The County Manager explained that PSNC is extending natural gas to the Universal Building, the Community College, DOT and both prisons. The route is currently proposed to follow Barnes Road, cross the Interstate, enter the Universal Property, pass the College and turn south onto Highway 226. The company is asking for an easement to cross county-owned property. Mr. Abernathy advised there had been some discussion about asking them to follow Highway 226 South from the bypass and follow the highway to pick up the businesses along this route. He explained they had chosen the other route because of the complexity of the rail crossing and the Interstate Exit. Mr. Abernathy advised the County Attorney would need to draft the documents associated with the requested easement.

A brief discussion followed.

Commissioner Lavender made a motion, seconded by Commissioner McPeters, to authorize staff to have the County Attorney draft the necessary documents for the requested easement. By unanimous approval, the motion carried.

TQA LEASE

The County Manager presented a Lease Agreement between McDowell County and Total Quality Assurance (TQA) for additional space in the Universal Building adjacent to their current area which is separated by a wall. The County Attorney had reviewed the lease and had amended it. Mr. Abernathy advised the square footage is 10,950 and will generate \$21,900 annually.

Further, Mr. Abernathy explained that he would suggest that this additional area be leased on a month-to-month basis.

Commissioner Webb made a motion, seconded by Commissioner McPeters, to approve the lease with TQA as amended by the County Attorney. By unanimous approval, the motion carried.

BOARD APPOINTMENTS

Chairman Walker advised the current board vacancy was for the Planning Board since it was not filled on second reading last month. Applicants were Robert E. (Bob) Brendle, Thomas Fleming, Brenda M. Vaughn, and Alex R. Portelli.

The Board voted by written ballot and results were as follows:

For: *Robert E. (Bob) Brendle* – Commissioners Lavender, McPeters, Walker, and Webb

For: *Brenda M. Vaughn* – Commissioner Dobson

By a vote of 4-1, Robert E. Brendle was reappointed to the McDowell County Planning Board.

MEETING ON FIRST MONDAY IN DECEMBER

Chairman Walker announced that the December meeting will be held on the first Monday in December as required by law following an election.

TAX MATTERS

The monthly listing of tax releases and refunds were presented for the Board's approval. In summary, they were:

Releases Under \$100.00	Released amount of \$885.38
Releases Over \$100.00	Released amount of \$4,298.42
Motor Vehicle Releases Under \$100.00	Released amount of \$1,445.01
Motor Vehicle Releases Over \$100.00	Released amount of \$834.00
Release Refunds	Refunded amount of \$2,762.04

Commissioner Webb made a motion, seconded by Commissioner McPeters, to approve the tax releases and refunds as presented. By unanimous approval, the motion carried.

CITIZEN COMMENT

No one had signed up to speak; therefore, there was no Citizen Comment.

REPORTS AND COMMUNICATIONS

There were no Reports and Communications given.

ADJOURNEMENT

There being no further business to transact at this time, upon motion by Commissioner Dobson, a second by Commissioner Lavender, and by unanimous approval, the meeting was adjourned.

David N. Walker, Chairman

Carrie Padgett, Clerk to the Board