

**STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL COUNTY
BOARD OF COMMISSIONERS
REGULAR SESSION –AUGUST 17, 2020**

Assembly

The McDowell County Board of Commissioners met in Regular Session on Monday, August 17, 2020, at 11:30 a.m., at the Universal Conference Room.

Members Present

David N. Walker, Chair; Lynn Greene; Brenda Vaughn

Tony Brown, Vice-Chair arrived at the meeting at 12:25pm

Members Absent

Barry McPeters

Others Present

Ashley Wooten, County Manager; Cheryl Mitchell, Clerk to the Board; William Kehler; Lisa Sprouse

Call to Order

Chairman Walker called the meeting to order at 11:30am.

COVID-19 Update

Mr. Kehler, ES Director gave the following report:

- presentation of COVID statistics- a copy is with the agenda packet
- Deer Park is stable currently; nine have been moved from COVID hall back to regular rooms
- all other long term care facilities currently have no PUI
- strep cases have shown an increase, related to patients not washing their mask
- positive cases are trending downward

DSS Update

Ms. Sprouse gave an update and distributed the agency reports. A copy is with the agenda materials. On the monthly data report for clients served, staff had misreported 225; the actual number was 282 people were served in person. She also noted the number of children in foster care has been trending upward since the middle of March. There are currently 122 children in DSS custody, and there were four more taken in today.

Currently there are 49 employees' teleworking and 53 employees working in the office. September 1st is the date all employees will be back in the office working. Ms. Sprouse noted there were some employees that have childcare issues when school starts back. Also, some employees live in Burke County and they have a different school schedule.

Chairman Walker noted this Board would advocate for the safety of children.

Ms. Sprouse noted the school system is an advocate for children when they attend.

The department is also now able to have virtual foster parent training.

Commissioner Greene asked how are parents able to visit with those trying to regain custody of their children. Those who are negative have been able to visit; all parents have their temperatures checked before visiting and are required to wear a mask.

HR Update

Maria Preswood, HR Director, distributed a copy of the Emergency Family Medical Leave Act (EFMLA); a copy is with the agenda materials. Lack of childcare due to COVID-19 is a qualifying reason for EFMLA. A childcare provider under the Act is defined as one who provides childcare services on a regular basis and receives compensation for those services. The county is required to pay full-time employees no less than two-thirds of their regular rate of pay.

Commissioner Greene asked if the employee has sick or vacation leave time could they use it for the one-third pay. Ms. Preswood said it was not required but allowed, and if they have balance from the EFMLA 80 hours they may use that time.

Mr. Wooten noted prior to today the Board had been paying full salaries in the last fiscal year, and also allowed employees to take adverse condition absence for COVID related issues where the employee was covered and did not have to take personal time. He requested guidance due to the ongoing pandemic and a new fiscal year.

Chairman Walker's opinion was to continue on paying employees if COVID related; but if the employee has no childcare then they should not get paid. He noted he would love for the county to provide childcare, but the county is not financially able to do so.

Commissioner Greene's opinion was if the employee could show childcare is COVID related, such as daycare closed, continue their pay. Also, if they want to take their time then they can take accrued vacation or sick time to cover their absence from work while they stay with their child.

Commissioner Vaughn's opinion was if the absence was directly related to COVID continue their pay, otherwise follow the federal guidelines. She added it was not the county's responsibility to take care of childcare.

Ms. Sprouse asked if the employee could telework if they had to stay home to provide childcare.

The Board consensus was to go by federal laws, and the employee must have childcare lined up before working any job.

The Board had given employees a raise, and had made sure employees were paid full salary during the beginning of the pandemic.

Mr. Wooten asked if the school went all virtual would that makes a difference. The Board consensus was no, an employee must find their own child care; it is not the employer's responsibility to provide childcare.

Vice Chairman Brown joined the meeting at 12:25pm.

Mr. Wooten summarized for Vice Chairman Brown the discussion by the Board. The federal law requires the county to have paid leave for up to 12 weeks for COVID related issues at two-thirds of their pay. He added previously the county had not charged any employee time off when they had to be absent due to COVID issues.

Consensus of the Board was the employee would have to take leave under the EFMLA and if they had sick or vacation leave time could take that time to complete their full pay.

Tag Office Update

Mr. Wooten noted the office currently has three full time employees and one vacancy. Staff suggested hiring a Manager for the tag office. Discussion was held on charging a fee for using a credit card for payment. Mr. Wooten noted the County is not allowed to charge a fee for credit card use.

Chairman Walker suggested a legislative goal of the county would be to allow for counties to charge a fee for usage, and also to be able to have options for card readers.

Board consensus was to post the job opening for a DMV Manager.

Surplus Property Disposal

Mr. Wooten presented a request from the Dysartsville Volunteer Fire Department to remove a fallen tree located on the Dysartsville Convenience Site on Vein Mountain Road.

Resolution Authorizing Sale of County Owned Property

WHEREAS, McDowell County desires to donate (1) fallen dead tree that fell during a recent storm at the Dysartsville convenience Center to Dysartsville Fire Department to use for training purposes.

WHEREAS, McDowell County has no use for the fallen dead tree

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of McDowell County that:

The donation of one (1) Fallen Dead Tree that fell during recent storm at the Dysartsville Convenience center to Dysartsville Fire Department to use for training purposes authorized by G.S. 160A-280.

This resolution shall become effective upon adoption.

ADOPTED this the 17th day of August, 2020

Cheryl L. Mitchell
Clerk to the Board

David N. Walker
Chairman

Commissioner Greene made a motion to approve Resolution Authorizing Sale of County Owned Property, second by Commissioner Vaughn. By a vote of 4-0 the motion passed.

Mr. Wooten presented a resolution requesting the Board of Elections donate 21 metal voting equipment bins to Montgomery County. The local Board of Elections updated their voting equipment and the bins were no longer usable.

Resolution Authorizing Sale of County Owned Property

WHEREAS, McDowell County desires to donate (21) Metal Voting Bins to Montgomery County.

WHEREAS, the Board of Elections have recently updated the voting software/equipment and these bins are no longer useable.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of McDowell County that:

The donation of (21) Metal Voting Bins to Montgomery County, authorized by G.S. 160A-280.

This resolution shall become effective upon adoption.

ADOPTED this the 17th day of August, 2020

Cheryl L Mitchell
Clerk to the Board

David N Walker
Chairman

Vice Chairman Brown made a motion to approve the Resolution Authorizing Sale of County Owned Property, second by Commissioner Vaughn. By a vote of 4-0 the motion passed.

Board Appointment

Mr. Wooten reported he had received a request from Chris Revis with Connect McDowell asking for a County Commissioner to serve on their Board of Directors.

Commissioner Vaughn volunteered to serve.

Commissioner Greene made a motion for Commissioner Vaughn to serve on the Board for Connect McDowell, second by Vice Chair Brown. By a vote of 4-0 the motion passed.

Approval of Closed Session Minutes

The July 20, 2020 Closed Session minutes were presented for approval.

Commissioner Greene made a motion to approve the minutes, second by Commissioner Vaughn. By a vote of 4-0 the motion passed.

Workforce Housing Project

Mr. Wooten advised Mr. Neil Gurney and Mr. Chuck Abernathy presented at the MTCC Board of Trustees meeting on the Workforce Housing Project. The Trustees had not been briefed on the project from the previous College President.

After Mr. Gurney's presentation and request for land of approximately four acres from MTCC for

the gym, childcare and housing, the Trustees agreed if the county would give the college equal acreage as the project was taking.

Discussion followed on if the college property was not available, the housing project would lose 30 units and the gym and daycare would not be built. The MTCC Trustees believe if they give up land they won't have enough for another building. Discussion followed on ways the Board has always provided space for the college when a need is presented to the Board.

Commissioner Greene made a motion to move forward with the project and the Board will find equal acreage when the college has a need, second by Commissioner Vaughn. By a vote of 4-0 the motion passed.

Adjournment

Commissioner Vaughn made a motion to adjourn at 12:55pm, second by Commissioner Greene. By a vote of 4-0 the motion passed.

Attest:

Cheryl L. Mitchell
Clerk to the Board

David Walker
Chairman