

**STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL COUNTY
BOARD OF COMMISSIONERS
REGULAR SESSION – OCTOBER 12, 2020**

Assembly

The McDowell County Board of Commissioners met in Regular Session on Monday, October 12, 2020, at 4:00 p.m., at the Historic Carson House, 1805 US Hwy 70W, Marion, North Carolina.

Members Present

David N. Walker, Chair; Tony Brown, Vice-Chair; Lynn Greene; Barry McPeters; Brenda Vaughn

Members Absent

None

Others Present

Ashley Wooten, County Manager; Cheryl Mitchell, Clerk to the Board

Call to Order

Chairman Walker called the meeting to order. The invocation was given by Vice Chairman Brown, followed by the pledge of allegiance, led by Commissioner Greene.

Approval of Minutes

Commissioner Vaughn made a motion, second by Commissioner Greene, to approve the September 14, 2020 Regular Session, September 21, 2020 Regular Session, September 28, 2020 Recessed Session minutes as presented. By a vote of 5-0, the motion carried.

Approval of Agenda

Chairman Walker called for any additions or deletions to the agenda. Mr. Wooten noted Ms. Kim Welborn, Elections Director, was unable to attend due to a death in her family.

Commissioner McPeters made a motion to approve the agenda as presented, second by Vice Chairman Brown. By a vote of 5-0, the motion carried.

Lake James Ordinance Public Hearing

Chairman Walker called the meeting into Public Hearing setting at 4:04pm.

Mr. Ronald Harmon, Planning Board Director, presented a draft Lake James Protection Ordinance replacing all three 1996, 2003, 2016 Lake James Protection Ordinances.

The following comments were received:

Todd Bell, President of the Lake James Environmental Association: thankful to the Planning Board for consolidating the prior ordinances; appreciate the protection of the lake; would like more enforcement on the lake; would like to see the Board add a protective ordinance for 50 ft buffer of the watershed; e-coli was an issue this summer at one section of the lake

John Leon, Arbor board member: lots of trash around the shoreline after heavy rains, the trash is coming from upstream; would like to see enforcement of the Lake James Protection Ordinance.

Jeff Noble: glad to see the Lake James Protection Ordinance; there is no buffer ordinance above Lake James and would like to see that addressed; western end of the lake had an e-coli issue this summer and also algae was higher in that area than any other part of the lake; the lake needs protection from the litter from upstream.

Donnie Suttles needs a boat dock for kids at Big League Camp for kayak and canoe activities; dock would not be for boats.

Commissioner McPeters made a motion to go out of Public Hearing at 4:18pm, second by Vice Chairman Brown. By a vote of 5-0 the motion passed.

Commissioner Greene made a motion to approve the Lake James Protection Ordinance, second by Commissioner Vaughn. By a vote of 5-0 the motion passed.

Chairman Walker thanked the public for their comments.

COVID-19 Update

Mr. William Kehler, Emergency Services Director, gave an update on the COVID-19 response:

- Day 211 of Emergency Operation Center (EOC) activation; 15,219 people tested; 1,047 positives; 14,054 negative results; 89 in quarantine; 30 deaths
- 6.93% positivity rate; which is moving downward; last 14 days at 5.14%
- McDowell County is one of the few counties in the western part of the state to offer free testing
- 7.74% hospitalization rate; 2.87% mortality rate
- EOC is supporting Board of Elections for upcoming elections
- four applications have been submitted with FEMA; two more FEMA applications are currently being processed by EM; \$367,388 total filed through the middle of June
- No increase in positive child cases since school opened

The current outbreaks in McDowell County are:

- Cedarbrook Residential in Nebo: a total of 2 staff and 2 residents have tested positive
- Autumn Care of Marion: a total of 9 staff and 17 residents have tested positive
- Marion Correctional Institution: a total of 10 staff have tested positive
- McDowell County Detention Center: a total of 2 staff and 2 inmates have tested positive

Emergency Services Building Update

Mr. Kehler noted the construction crew had moved a lot of dirt at the headquarters site, in spite of the past week's rain causing a minor setback. The truck bays are taking shape at the Station 4 location. He added the four-station system will increase response times getting help to the critical need patients faster, and the entire county will benefit from the strategically placed stations.

Mr. Wooten presented an annexation petition requesting annexation of Barnes Road where the headquarters will be located. Chairman Walker suggested asking for a waiver of tap fees.

Commissioner Greene made a motion to approve the annexation request for the headquarters site and request a waiver of tap fees, second by Vice Chair Brown. By a vote of 5-0 the motion passed.

School Resource Officer Program Update

Sheriff Ricky Buchanan recognized Supt. Garrett, who was unable to attend due to another meeting, and School Board Chairman Terry Frank with a Certificate of Appreciation.

School Resource Officers (SRO) are in seven elementary schools in the county, and there are two SROs at the high school. He noted that Supt. Garrett has secured funding through grant opportunities to fund the SROs. The grant funds covered 42% of the funding, with the additional funding supplied from the county. Sheriff Buchanan thanked the Board of Commissioners for their support.

Mr. Frank praised Supt. Garrett's efforts for seeking the grants, and his appreciation of the Board of Commissioners for their support and cooperation with the Board of Education. He thanked Sheriff Buchanan for the Certificate of Appreciation.

Election Update

Due to Ms. Welborn's absence Mr. Wooten gave an update on the upcoming Presidential Election. One-Stop (Absentee) voting begins October 15th at the Board of Election office at 2458 NC Hwy 226, and at the Rockett Building at 55 East Main Street in Old Fort through October 31st. Election day will be November 3, 2020, and the polls will be open from 6:30am-7:30pm.

Property Revaluation Update

Tim Cain, Revaluation Director, gave a progress report on the revaluation process. He noted field visits are continuing and will be finished by Spring of 2021. The next property revaluation will be January, 2023.

The last time all properties in the county were field visited and measured was over 30 years ago. In the past years a desktop appraisal was applied to the properties in the county. The home field visits will insure the most accurate data for the property values. Mr. Cain noted 70-75% of the properties will be done by January 1, 2021.

Nebo Water Update

Mr. Wooten provided additional information regarding the Mountain Springs Development off Hwy 70 E in Nebo being developed by Mr. Wayne McLaughlin and Mr. David Patenaude. The Board first heard of the development at last month's meeting. Mr. Wooten reported there was a \$600 lot value currently, and the build out development would increase to \$17,000 per lot based on property with road and water. The roads must be done before the water lines can be run. Mr. Wooten added the value now for the 41 acres is \$88,000.

Chairman Walker noted the goal of the county was to have a water filtration system, and monies must come from the water system because the county is not allowed to take monies out of the general fund to build the system.

Mr. McLaughlin reported the homes would be priced between \$169,000-\$189,000. The first phase of the development will be 25 lots. Construction has already begun on the first two homes which is beside of Hwy. 70 and already has water lines.

Commissioner Greene asked Mr. McLaughlin if he was going to get a bond, guaranteeing the investment from the County of \$200,000. Mr. McLaughlin responded no he was not, his cost for each house would be \$120,000 and he was already starting two houses and planning on building 20 houses.

Mr. Wooten noted per General Statue once there is a total dollar amount of the project, including engineering, permits, and construction, there will be a public hearing. Once the infrastructure is built there will be another public hearing at the end of the project. Then there will be a lien put on each parcel which can go up to ten years, but generally go for five years. For example, if the County chose five years then you would divide the \$200,000 by the five years, and the payment would be \$40,000 per year divided by however many lots. When the lot is sold the tax lien would be considered in the closing cost.

Commissioner McPeters asked if this was approved would it not set a precedence for any future private developers asking for the same deal.

Vice Chairman Brown confirmed this would be Phase 1 of the development with 25 sites, a road would be installed before the water lines would be run. He added according to the figures Mr. Wooten provided the revenue would be returned for the County.

Vice Chairman Brown made a motion to approve the request for Phase 1, second by Commissioner Vaughn. Discussion followed. Mr. Wooten added the next step would be for the developers to submit the plat to the Planning Board for their approval. Commissioner McPeters asked when the developers would start Phase 2. Mr. Patenaude noted they anticipated building 14 houses the first year, depending on weather it would probably be two years before Phase 2 would be started. Chairman Walker added this project would be income producing for the tax base, as well as providing needed housing.

By a vote of 4-1 the motion passed, with Commissioner Greene voting nay.

Facilities Updates

Mr. Wooten noted the closing date will be next Wednesday on the former Kirksey Funeral Home, and the County will take possession that day. The engineer and structural engineer had very positive comments about the building. He noted staff had not been able to locate blueprints on the addition or the original building; so, the engineer will be onsite to take measurements inside the building for office space. Once that is done the architect will give his recommendations on usage based on the building codes.

Chairman Walker noted parking is still an issue at the Courthouse and Administration Building. The Courthouse project completion date is set for December. The parking decks on first floor and second floor are being resurfaced. There will be 45 parking spaces once construction is completed. Mr. Wooten has been receiving parking space request from various Courthouse staff. A total of 55 state staff have requested parking space, and there will need to be spaces for county staff as well.

Chairman Walker added the county owned property beside of the Administration Building could be used for additional parking spaces. Estimates to remodel the former Brooks building were \$300,000 to bring the building up to code. He added parking spaces is a greater need and bulldozing the building down and make parking spaces was an option. He would like to see cost estimates on taking building down and paving spaces.

Vice Chairman Brown would like to see how many spaces would actually be available before spending a lot of money.

Public Shooting Range

The NC Wildlife Resources Commission (NCWRC) Engineer Steven Bailey, submitted pictures of the progress being done by Suttles Grading at the range site. Chuck Hamrick, Engineer is working on designing the classroom/office building. Staff will present the floorplan to the Board before bidding out the project.

Drexel Property Update/Grant Application

The City of Marion had identified an EPA grant opportunity for the remediation and redevelopment of existing Brownfield sites. The grant proposal for \$800,000 in funding from the EPA would be used to continue the cleanup of the 15.29-acre former Drexel site. The grant would require a local match of \$40,000, which the county share would be \$20,000, with the other \$20,000 coming from the City. The \$20,000 local share would only be paid if the grant was awarded.

Vice Chairman Brown made a motion to approve the grant application, second by Commissioner Greene. By a vote of 5-0 the motion was approved.

Administrative Items

Mr. Wooten presented EMS write-offs in the amount of \$35,169.77 for consideration.

Commissioner Greene made a motion to approve the EMS write-offs, second by Commissioner McPeters. By a vote of 5-0 the motion passed.

Tax Matters

MV tax refunds	\$ 391.68
Refunds	\$ 891.05

Commissioner McPeters made a motion to approve all tax matters, second by Vice Chair Brown. By a vote of 5-0 the motion passed.

Public Comment – NCGS 153A-52.1

Chairman Walker opened the meeting for public comment at 5:43pm.

There were no comments.

Commissioners/Staff Reports and Communications

There were no reports.

Historic Carson House Update

Mr. Chuck Abernathy, President of the Historic Carson House Board of Directors gave a brief history of the Board meetings at the Carson House. He noted the County was created in December of 1842 and the first time the Board of Commissioners met at the Historic Carson House was in August 1991. Due to heat that time of year, the meeting was moved to October in 1992 and this year marks the 29th year of this annual meeting.

Ms. Martha Jordan, Executive Director, gave an update on upcoming events. The Over the

Mountain Victory Trail Association will be having a scavenger hunt starting with 4th graders in the county, with hopes of expanding to other grades. Ms. Jordan then recognized the following Board members that were present: Shelba Murray; Debbie Queen; Alice Stecker; and Dr. Jim Haney.

Commissioner McPeters made a motion for the Board of Commissioners to pick up the expense for the meal, second by Commissioner Greene. By a vote of 5-0 the motion passed.

Dr. Haney offered the blessing for the food before the meal.

Adjournment

There being no further business to transact at this time, upon motion by Commissioner McPeters and a second by Commissioner Vaughn, the meeting was adjourned at 5:50pm.

Attest:

Cheryl L. Mitchell
Clerk to the Board

David Walker
Chairman