

**STATE OF NORTH CAROLINA  
COUNTY OF MCDOWELL COUNTY  
BOARD OF COMMISSIONERS  
REGULAR SESSION –SEPTEMBER 21, 2020**

**Assembly**

The McDowell County Board of Commissioners met in Regular Session on Monday, September 21, 2020, at 11:30 a.m., at the Universal Conference Room.

**Members Present**

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

**Members Absent**

Barry McPeters

**Others Present**

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

**Call to Order**

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

**Universal Building Lease**

Mr. Chuck Abernathy, MEDA Director, presented a request for a current company called Forever Outdoors to be able to relocate to the recently vacated space where American Plastics was located. The lease is \$2.00 a foot and the space is right at 13,500sf. Also the lease requires Forever Outdoors to hire ten people within 60 days. A copy of the lease is with the agenda materials.

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

Mr. Wooten noted the Board had previously approved an incentive agreement for Project TAD, a company that would be going into the Parker building in Old Fort. Due to changes by the State to a ONE NC Grant of \$210,000 and Building Reuse of \$140,000, the Board was required to make a one-third match for the ONE NC Grant. This would be an increase from the \$70,000 previously approved to \$105,000. The incentive would still be \$1,500 per employee, and the company is hiring 71 people.

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

**DSS Update**

Ms. Sprouse gave an update and distributed the agency reports. A copy is with the agenda materials.

She reported there are two staff members that have tested positive and are currently out of work. The maintenance staff have decontaminated the building; contacts have been tested and will be able to come back after a negative test.

Ms. Sprouse also reported the number of child welfare cases has increased in recent months. There were nine children taken into custody last month, and this month, only 18 days into the month, eight children have been taken into foster care. Since March DSS has taken 54 children into foster care. She noted there has been an increase in drugs and domestic violence leading the children to be taken out of the home.

She also noted there had been an increase in the number of cases in Adult Services as well as child welfare. Adult Services had taken 16 reports of abuse in the last 18 days.

### **Transfer Station Repair Proposal**

Mr. DePoyster submitted an agreement for approval from Terracon Engineered Concepts for engineering services at the Public Works transfer station. The concrete floor slab and foundation walls of the facility show extensive levels of deterioration from the extended heavy use of the facility. Engineers will document the existing conditions of the floor, walls, and exterior of the building including wall foundations, and drainage of rainwater and liquids on the floor. Then they will develop plan drawings and recommendations for remediation. A copy of the contract is with the agenda materials.

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

Commissioner Greene suggested Mr. DePoyster and Mr. Wooten evaluate staffing needs within the Public Services Department.

### **Tax Appeal**

Tim Cain, Revaluation Director, presented an appeal from taxpayer Dustin Endres (Endres Custom Homes, Inc) for 157.0 acres in McDowell County. The acreage was taxed at a reduced rate as a result of inclusion within the Present Use Value (PUV) program prior to purchase. Mr. Cain noted the current owner had not filed an application for a PUV which should have been done within 60 days from the date of purchase. The applicant has had the property for 22 months.

Commissioner Greene noted since the owner had not filed for a PUV application, there was no action for the Board to take. Mr. Cain noted even if the application had been received, inclusion would have been declined as a result of the business entity's principal business as a custom home builder, where it derives a majority of its income and requires a significantly disproportionate amount of personal time and effort of the members of the entity.

Chairman Walker told Mr. Endres the Board could not hear his appeal due to the fact he had not filed a PUV application. He also advised him Mr. Cain would give him information for next steps.

### **West Court Street Lease**

Mr. Wooten noted due to an error the County had been paying the incorrect amount of rent for the West Court Street property. The owner recognized the error and requested the correct amount for the previous months be corrected, and adjust the 2021 rate to \$970 instead of what was previously approved of \$940.

Commissioner Greene made a motion to approve the \$970 per month lease, second by Commissioner Vaughn. By a vote of 4-0 the motion approved.

### **2009 Taxes Write-Off Correction**

Mr. Wooten presented a corrected copy of the charge off of 2009 taxes. The correct amount should have been \$127,728.33. A copy of the corrected amounts is with the agenda materials.

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

### **Project Budget Ordinance**

Mr. Wooten presented a Shooting Range Project Budget Ordinance and a Corona Virus Relief Fund Project Budget Ordinance Amendment 1 for approval.

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

### **Black Bear Cabin Discussion**

Mr. Wooten noted he and Mr. Harmon had attended several Zoom meetings with Duke Energy regarding the Black Bear Campground at the Black Bear Access Area. The existing boat area will remain and will be enhanced with a restaurant facility. The day use area will have parking, trailhead, picnic shelter, and a fishing pier built by Wildlife Resources.

The other peninsula will have the campground area with a bath house, RV campsites, and a space for the camp host. Mr. Wooten noted there had been some discussion for cabins. Duke is near the end of the design phase of the facility and needs to know if the county wishes to pay for cabins to place in the campground. He noted if cabins are desired he would like to know how many, would they be insulated, have heat and air, or an electrical outlet. Water and bathrooms would be available in the bathhouse. On site built versus pre-fabricated buildings was discussed.

Consensus from the Board was to table this discussion to give everyone time to look at other campgrounds and cabins.

### **Property Discussion**

Chairman Walker noted each Commissioner, with the exception of Commissioner McPeters, had visited the former Kirksey Funeral Home property for purchase. Mr. Wooten had distributed a counter offer for \$490,000 from the sellers and advised Attorney Coats had read the offer. The seller will use their own preferred company for the title insurance.

Commissioner Greene made a motion to instruct staff to take the necessary steps to purchase the property, second by Commissioner Vaughn. By a vote of 4-0 the motion passed.

Mr. Wooten advised he had been approached by two developers of a housing development along Hwy 70 East in Nebo requesting to county to run water lines for the development. The subdivision would be for 25 lots.

Mr. Wooten advised the Board the county could build the water system and assess each lot by putting a lien on the property. The developers, Wayne McLaughlin and David Patenaude, would pay until the amount was repaid, and as the lots were sold the lien would be paid as part of closing cost. He added he would get a cost estimate from an engineer.

Commissioner Greene noted there is a risk for the county if after the county runs the water lines the developers default.

Mr. Wooten said he would get more information and the Board could recess to the 28<sup>th</sup> since they also had a Board of Adjustment meeting that evening.

Commissioner Greene made a motion to recess to Monday, September 28 at 4:30pm, second by Commissioner Vaughn. By a vote of 4-0 the motion passed.

Attest:

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Cheryl L. Mitchell  
Clerk to the Board

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David Walker  
Chairman