

**STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL COUNTY
BOARD OF COMMISSIONERS
REGULAR SESSION – April 10, 2023**

Assembly

The McDowell County Board of Commissioners met in Regular Session on Monday, April 10, 2023, at 5:00 p.m., in the Commissioner’s Board Room, 69 N Main St., Marion, NC.

Members Present

Tony G. Brown, Chairman; David N. Walker, Vice-Chairman; Patrick Ellis; Lynn Greene

Members Absent

Chris Allison

Others Present

Ashley Wooten, County Manager; Victoria Craig, Clerk to the Board

Call to Order

Chairman Brown called the meeting to order at 5:00 p.m. The invocation was given by Vice-Chairman Walker. The pledge of allegiance was given by Commissioner Greene.

Approval of Minutes

Vice-Chairman Walker made a motion to approve the March 13, 2023 Regular Session minutes, the March 20, 2023 Regular Session minutes, and the March 27, 2023 Recessed Session minutes, seconded by Commissioner Ellis. By a vote of 4-0, the motion passed.

Approval of Agenda

Commissioner Ellis made a motion to approve the April 10, 2023 agenda, seconded by Vice-Chairman Walker. By a vote of 4-0, the motion passed.

Emergency Services Update

Management Institute Attendees

Emergency Services Director Will Kehler presented recent UNC Charlotte EMS Management Institute graduates. The graduates are Deputy Director Adrienne Rivera Jones, Captain Brenda Agreda, Captain Mitchell Ledford, and Captain Jake Patton.

This program is designed to enhance the leadership skills of EMS staff. Each Commissioner said words of appreciation to the graduates.

911 Telecommunicators

Mr. Kehler asked the Board to approve a resolution endorsing the reclassification at the federal level of 911 Dispatchers as first responders. Several states have identified their 911 staff as first responders, but not North Carolina.

Commissioner Ellis made a motion to approve the resolution to support the reclassification of 911 Dispatchers as first responders, seconded by Commissioner Greene. By a vote of 4-0, the motion passed.

Vice-Chairman Walker made a motion to start a local 911 telecommunicators week annually, seconded by Commissioner Greene. By a vote of 4-0, the motion passed.

Tony G. Brown, Chairman
David Walker, Vice-Chairman
Chris Allison, Commissioner
Patrick Ellis, Commissioner
Lynn Greene, Commissioner



Ashley Wooten, County
Manager
Victoria Craig, Clerk to the
Board
Donald Fred Coats, County
Attorney

McDowell County

RESOLUTION SUPPORTING THE RECLASSIFICATION OF MCDOWELL COUNTY 911 DISPATCHERS

WHEREAS, in September of 2021, US Norma T. Torres and Brian Fitzpatrick announced that their 9-1-1 SAVES Act passed the House as part of the Fiscal Year 2022 National Defense Authorization Act. The 9-1-1 SAVES Act is bipartisan legislation to reclassify 911 dispatchers from "Office and Administrative Support" to "Protective Services Occupations" in the Office of Management and Budget's Standard Occupational Classification (SOC) Catalog and;

WHEREAS, 911 dispatchers are the first line of response during an emergency, and they deserve to be classified in a way that recognizes their work is on par with the work of other public servants classified as first responders and;

WHEREAS, Senator Richard Burr introduced the reclassification bill in the United States Senate, where it remained and;

WHEREAS, 911 dispatchers working with elected officials to re-introduce this legislation with the next Congress, and local support will assist this effort and;

WHEREAS, the McDowell County Board of Commissioners is in support of such a legislative change;

NOW THEREFORE BE IT RESOLVED BY THE MCDOWELL COUNTY BOARD OF COMMISSIONERS:

That the McDowell County Board of Commissioners is in support of bipartisan legislation to reclassify 911 dispatchers from "Office and Administrative Support" to "Protective Service

Occupations” in the Office of Management and Budget’s Standard Occupational Classification (SOC) catalog.

Adopted this the 10th day of April, 2023.

Attest:

Victoria Craig
Clerk to the Board

Tony G. Brown
Chairman

2023 Revaluation Update

Tax Assessor Tammy Wylie gave an update to the Board on the Revaluation process. 32,011 revaluation notices were mailed out on February 28, 2023. There have been 1,387 informal appeals and decisions for those appeals were mailed on April 3, 2023. The Board of Equalization and Review convened on April 3, 2023, and will be open for formal appeal requests until April 24, 2023. Hearings will begin on April 25, 2023, and those individuals who have a hearing will be notified of their meeting time in advance.

Foothills Regional Commission Updates

Foothills Regional Commission’s (FRC) Alan Toney updated the Board on recent FRC activity including grant administration and electric vehicle (EV) charging plans.

Electric Vehicle Charging Plan

Electric Vehicles sales are on the rise and by June of 2022, there were about 1,400 EVs registered in Buncombe, Burke, and Rutherford Counties. This would be about \$500 a year to run the EV charging stations. The City of Marion has already approved a plan, but Mr. Toney was not asking the Board to vote on the matter at this time.

Foothills Projects in McDowell County

There have been many grants that FRC has applied for on behalf of McDowell County. There are ongoing studies occurring such as the Fonta Flora Study, West Henderson - Logan Street, a Safe Routes to School program, and more.

Public Health Update

Foothills Health District Director Karen Powell gave an update on recent district activities. McDowell County ranked 48, dropping from 46 last year. There were key percentages that Ms. Powell pointed out to the Board where McDowell County was higher than the average North Carolinian.

Health Category	McDowell County	North Carolina
Adult Smoking	21%	17%
Teen Births	29	21
Some College	58%	69%

Children in Poverty	22%	18%
Injury Deaths	92	82

Health education was discussed to try and be proactive rather than reactive. Environmental health updates were also presented to the Board.

There was a resolution presented by staff for Public Health Appreciation.

Vice-Chairman Walker made a motion to approve the 2023 Resolution for Public Health Appreciation, seconded by Commissioner Greene. By a vote of 4-0, the motion passed.

Tony G. Brown, Chairman
 David Walker, Vice-Chairman
 Chris Allison, Commissioner
 Patrick Ellis, Commissioner
 Lynn Greene, Commissioner



Ashley Wooten, County
 Manager
 Victoria Craig, Clerk to the
 Board
 Donald Fred Coats, County
 Attorney

McDowell County

PUBLIC HEALTH APPRECIATION 2023

WHEREAS, the public health workforce is a critical component of our emergency response to natural and man-made disasters and widespread disease outbreaks in our county; and

WHEREAS, public health measures to control and eliminate infectious diseases, improve environmental sanitation, and promote healthy lifestyle practices have been the greatest cause of improved health status and increased life expectancy for the residents of our County and all North Carolina's residents; and

WHEREAS, public health plays a critical role in advancing health outcomes and preventing chronic diseases and injuries, resulting in improved productivity and decreased healthcare costs for all North Carolinians; and

WHEREAS, McDowell County is committed to a continued emphasis on prevention in public health, and to helping our county and all of North Carolina reach a better state of health through actions outlined in the Healthy North Carolina 2030 objectives; and

WHEREAS, communities, local health departments, employers, hospitals and health care providers, individuals and families, insurers, county leaders and policymakers, faith-based communities, and schools and childcare facilities must work together to identify and develop innovative solutions to health problems facing the people of McDowell County; and

WHEREAS, the McDowell County Commissioners encourages all residents to recognize that public health is working to ensure that all residents are protected from threats such as influenza, foodborne disease, injury, and chronic diseases such as diabetes, heart disease, and asthma.

NOW, THEREFORE IT BE RESOLVED that we, the McDowell County Commissioners in regular session, do hereby convey our deepest gratitude to those public health professionals who serve our county every day.

SEAL

**CHAIRMAN, TONY G. BROWN
BOARD OF COMMISSIONERS**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County of McDowell in the state of North Carolina this 10th day of April in the year of our Lord two thousand and twenty-three.

Attest:

**VICTORIA CRAIG
CLERK TO THE BOARD**

Water System Project Update

Staff continues to work on an unprecedented number of water-related projects.

- The engineer has advertised Phase 1A and 1B for an April 27th bid opening. The goal is to have bids before the Board at the May 8th meeting.
- The Universal water and sewer extension (which is related to the Technology Park development) is also going out to bid. The opening date for that project is April 4th with a May 2nd closing date.
- An Appalachian Regional Commission grant to extend water around Exit 90 has been awarded.
- The study of water service to the West Marion Elementary Area is complete. An ARC pre-application was accepted and the County is awaiting an update on the grant application status.
- The grant for the East End project along NC 126 was awarded. Staff is awaiting the official award letter.

Vice-Chairman Walker made a motion to approve the ARC resolution, seconded by Commissioner Ellis. By a vote of 4-0, the motion passed.

Broadband Update

The North Carolina Department of Information Technology has indicated that they will start sending out GREAT grant agreements this week. The County has agreed to participate financially with the non-State match in the amount of \$100,000. The payment will be made after

the work is completed. The \$100,000 allocation is from the \$1 million that was set aside from the County's ARPA allocation.

Commissioner Ellis made a motion to approve the signing of the GREAT grant agreement, seconded by Commissioner Greene. By a vote of 4-0, the motion passed.

Building Update

Services Building

The project architect CBSA has completed drawings that would allow for the Probation/Parole staff to relocate to the second floor of the Services Building. The current design would require significant demolition of walls and would therefore be quite costly. Staff has asked the architect to evaluate lower-cost alternatives.

Old EMS Station

The old Station 1 has had a "For Sale" banner up since the end of March. There have been some verbal questions about the building, but no offers. The Board had given until April 15th for offers to be accepted. Staff can proceed with demolition quotes next week if nothing comes by the end of the week.

Staff has requested to set a minimum sales cost for the old EMS building.

Commissioner Ellis made a motion to set a minimum sales cost of the old EMS building at \$5,000, seconded by Commissioner Greene. Vice-Chairman Walker clarified that there would be a contract with the buyer. By a vote of 4-0, the motion passed.

Paving Project

Staff has received quotes for the paving of three County-owned lots including the mental health building, the Sugar Hill Convenience Center, and the driveway at the gas pump. The total cost of the low bid is \$235,900.

The Board previously directed staff to pay the paving costs out of the Local and Tribal Assistance Consistency Fund.

Vice-Chairman Walker made a motion to approve the paving project being paid for with the Local and Tribal Assistance Consistency Fund, seconded by Commissioner Greene. By a vote of 4-0, the motion passed.

Parks and Recreation Updates

Black Bear

The Board approved the Black Bear lease document last month. There was a first reading for the Operations Plan, which is now ready for approval.

Staff would like to proceed with the purchase of the small cabins for the campground portion of the property. Staff has obtained quotes and suggests using ARPA interest for the purchase since it is a non-recurring expense.

Commissioner Ellis made a motion to approve 5 cabins to be purchased using ARPA interest, seconded by Vice-Chairman Walker. By a vote of 4-0, the motion passed.

Chad Marsh, Parks and Recreation Director, informed the Board that the vendor for those cabins is local.

Commissioner Ellis made a motion to approve the Black Bear Operations Plan, seconded by Commissioner Greene. By a vote of 4-0, the motion passed.

Recreation Center

The Recreation Center project is going out to bid any day now. The advertising period will be for four weeks, which means a May bid opening will be scheduled.

Maple Leaf Playground Grant

Staff has been in touch with the grant agency and will move expeditiously with project implementation when grant documents are in hand.

Pilot Plant Sale

An offer of \$275,000 was made for the former pilot plant last month. The Board accepted the offer and started the upset bid process. There were no other bids, which means that the original offer stands.

The buyer will pay for the deed preparation and survey cost in addition to the \$275,000. The survey is being prepared with boundaries that the Board was presented with.

Commissioner Greene made a motion to approve the sale of the property, seconded by Vice-Chairman Walker. By a vote of 4-0, the motion passed.

Budget Update

The property tax collection report shows a collection rate of 98.67% through March.

There were several budget amendments and one project ordinance amendment:

GF 44 - Transfer between line items due to season workers at Elections.

GF 45 - Transfers between line items and appropriates received revenues in Emergency Services.

GF 46 - Appropriates received revenue to cover the cost of juvenile detention.

GF 47 - Appropriates revenue to cover increased printing costs for Tax Assessing notices.

GF 48 - Transfers between line items in Parks and Recreation.

GF 49 - Transfers between line items at the Sheriff's Office.

ENT2 - Transfers between line items and appropriates tipping and loan proceeds in the Waste Enterprise Fund.

Vice-Chairman Walker made a motion to approve all budget amendments and one project ordinance amendment, seconded by Commissioner Greene. By a vote of 4-0, the motion passed.

Firework Approval

Little League opening day will be held April 15. As was done last year, there will be an opening day celebration including fireworks. NC General Statute 14-413 requires the Board of Commissioners to approve fireworks ("pyrotechnic") shows.

Vice-Chairman Walker made a motion to approve the fireworks show for April 15, 2023, seconded by Commissioner Ellis. By a vote of 4-0, the motion passed.

NACo National County Month

The National Association of Counties (NACo) celebrates National County Month in April of every year. This is an opportunity for counties to highlight their good works. Staff would do social media posts, a press release, speaking engagements, etc. this month to let the public know what their county is doing for them. Staff requested approval of the proclamation that was presented.

Commissioner Greene made a motion to approve the proclamation, seconded by Commissioner Ellis. By a vote of 4-0, the motion passed.

Tony G. Brown, Chairman
David Walker, Vice Chairman
Chris Allison, Commissioner
Patrick Ellis, Commissioner
Lynn Greene, Commissioner



Ashley Wooten, County
Manager
Victoria Craig, Clerk to the
Board
Donald Fred Coats, County
Attorney

Proclamation

National County Government Month - April 2023 "Counties RISE"

WHEREAS, the nation's 3,069 counties serving more than 330 million Americans provide essential services to create healthy, safe, and vibrant communities; and

WHEREAS, counties fulfill a vast range of responsibilities and deliver services that touch nearly every aspect of our residents' lives; and

WHEREAS, McDowell County and all counties take pride in our responsibility to protect and enhance the health, well-being, and safety of our residents in efficient and cost-effective ways; and

WHEREAS, under the leadership of National Association of Counties President Denise Winfrey, NACo is highlighting how “Counties RISE!,” demonstrating exemplary Resiliency, Inclusion, Solvency, and Empowerment; and

WHEREAS, each year since 1991 the National Association of Counties has encouraged counties across the country to elevate awareness of county responsibilities, programs, and services; and

NOW, THEREFORE, BE IT RESOLVED THAT the McDowell County Board of Commissioners do hereby proclaim April 2023 as National County Government Month and encourage all county officials, employees, schools, and residents to participate in county government celebration activities.

Adopted this the 10th day of April 2023.

Tony G. Brown, Chairman
McDowell County Board of Commissioners

Attest:

Victoria Craig, Clerk to the Board

Administrative Items

- There were EMS write-offs totaling \$60,473.22.
- Dysartsville Fire Department has requested an inspection fee waiver for the substation they are planning on Vein Mountain Road.
- There was a reimbursement resolution for Sheriff’s vehicles.

**COUNTY OF McDOWELL, NORTH CAROLINA
DECLARATION OF OFFICIAL INTENT TO REIMBURSE**

This declaration (the "Declaration") is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

The undersigned is authorized to declare the official intent of County of McDowell, North Carolina (the "Issuer") with respect to the matters contained herein.

1. **Expenditures to be Incurred.** The Issuer anticipates incurring expenditures (the "Expenditures") for the purchase of sheriff vehicles (the "Project").

2. **Plan of Finance.** The Issuer intends to finance the costs of the Project with the proceeds of debt to be issued by the Issuer (the "Borrowing"), the interest on which is to be excluded from gross income for Federal income tax purposes.

3. **Maximum Principal Amount of Debt to be Issued.** The maximum principal amount of the Borrowing to be incurred by the Issuer to finance the Project is \$550,000.00.

4. **Declaration of Official Intent to Reimburse.** The Issuer hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

Adopted this ___ day of _____ 2023.

SEAL

By: _____
Clerk
County of McDowell, North Carolina

By: _____
Chair, County Commissioners
County of McDowell, North Carolina

Commissioner Greene made a motion to approve all administrative items, seconded by Vice-Chairman Walker. Commissioner Ellis asked where the Fire Department funding would come from. Mr. Wooten informed him that funds would be from existing tax revenues. By a vote of 4-0, the motion passed.

Board Appointments

There was a second reading for the Juvenile Crime Prevention Council for the vacant faith-based seat.

Candice Workman, Jordan Laney, Rena Harp, Patti Holda, Jessica Merritt, and Karen Dark were all approved by the Board to serve on the newly re-established Historic Preservation Commission.

According to the Historic Preservation Commission ordinance, there need to be at least five members. Staff asked the Board if they would like to place a cap on the number of members for the Historic Preservation Commission.

Commissioner Ellis made a motion to set a cap of seven members for the Historic Preservation Commission, seconded by Vice-Chairman Walker. By a vote of 4-0, the motion passed.

Tax Matters

Vice-Chairman Walker made a motion to approve tax matters, seconded by Commissioner Ellis. By a vote of 4-0, the motion passed.

Citizen Comment

There were no citizen comments.

Commissioners/Staff Reports

Commissioner Ellis asked what the plan was for the budgeting process, and requested a list of the non-profits that the County funds and what the funds are used for, as well as a budget from each department reflecting up to five years. By consensus of the Board, they asked Mr. Wooten to get the non-profit list to them.

Commissioner Ellis also requested Mr. Wooten to provide a list from the general fund, ARPA, grants, etc. so the Board can assist more with the budgeting process.

Vice-Chairman Walker confirmed that the Board in 2021 voted to reduce the property tax rate by one penny, which equates to a little over \$400,000 after year one and around \$500,000 by year two. Mr. Wooten informed the Board that this is the most challenging budget year in his many years of experience resulting from a much-needed substantial pay increase to County employees, economic increases, and other factors.

Commissioner Greene recommended that if a project isn't generating revenue for the County, then that project should wait for a different year. Chairman Brown reminded the Board of the promise made to McDowell County citizens about returning the money back to them from the tax increase used for the Court House project, whether that be this year or two years from now, he intends to keep that promise.

Adjournment

Vice-Chairman Walker made a motion to adjourn at 6:47 p.m., seconded by Commissioner Greene. By a vote of 4-0, the motion passed.

Attest:

Victoria Craig
Clerk to the Board

Tony G. Brown
Chairman