

**STATE OF NORTH CAROLINA
MCDOWELL COUNTY
BOARD OF COMMISSIONERS
REGULAR SESSION – December 11, 2023**

Assembly

The McDowell County Board of Commissioners met in Regular Session on Monday, December 11, 2023, at 5:00 p.m., at the Commissioners Board Room, 69 N Main Street, Marion, NC.

Members Present

Tony Brown, Chairman; David N. Walker, Vice-Chairman; Chris Allison; Patrick Ellis

Members Absent

Lynn Greene

Others Present

Ashley Wooten, County Manager; Charity Turner-Coates, Clerk to the Board; Mr. Steve Pierce; Ms. Amanda Finn; Judge Robert “Bob” Hunter; Fred Coats, County Attorney

Call to Order

Chairman, Tony Brown called the meeting to order at 5:03 p.m.

The invocation was given by Commissioner Ellis and the Pledge of Allegiance was led by Vice Chairman Walker.

Approval of Minutes

Vice Chairman Walker made a motion to approve the November 13, 2023, Regular Session minutes; the November 13, 2023, Closed Session minutes and the Regular Session minutes; and the Closed Session minutes for November 20, 2023. Commissioner Allison seconded the motion. By a vote of 4 to 0, the motion passed.

Approval of the Agenda

Vice Chairman Walker made a motion to approve the December 11, 2023 agenda and included the addition of a Closed Session and an administrative item. The motion was seconded by Commissioner Allison. By a vote of 4 to 0, the motion passed.

Appointments

A. Selection of Chair and Vice Chair

Per NC General Statute 153A-39 – Selection of chairman and vice-chairman; powers and duties. (1) The first Monday of each even-numbered year and (2) Its first regular meeting in December of each odd-numbered year.

Chairman Brown made a motion to nominate Commissioner David Walker as Chairman. The motion was seconded by Commissioner Ellis. No other nomination was made and no discussion followed. By a vote of 4 to 0, the motion passed.

Commissioner Ellis made a motion to nominate Commissioner Tony Brown as Vice Chairman and the motion was seconded by Chairman Walker. No other nomination was made and no discussion followed. By a vote of 4 to 0, the motion passed.

B. McDowell Trails Association Update

Vice Chairman Brown recognized Mr. Steve Pierce with the McDowell Trails Association, who presented the Board with a summary of the Year of the Trail. Mr. Pierce thanked the Board for the Coalition with the McDowell Trails Association, which is a 501C non-profit. The events in 2023 were successful and the momentum is continuing into 2024. There will be numerous events scheduled throughout 2024, with the first event being a hike at the Black Bear Campground and Park on January 1, 2024. MTA has plans to continue improvement on the Peavine Rail Trail, including a trestle that will extend the trail to Jacktown Road. The goal is to extend the trail to McDowell Tech and then eventually to Forest City NC. Mr. Peirce provided the Board with handouts and presented a PowerPoint presentation. MTA has invested over 65,000 dollars in major trail projects in McDowell County, with the majority of the funding coming from private donors and fundraisers.

The Board thanked Mr. Pierce for his commitment, enthusiasm, and hard work on this project that benefits the residents of McDowell County.

Chairman Walker also stated that for every \$1.00 invested into the trails, there is a return of \$1.72. Chairman Walker also recognized MTA was founded in the year 2005.

C. Fonta Flora State Trail Grant

Chairman Walker recognized Ms. Amy Finn of the Friends of Fonta Flora Trail.

Ms. Amanda Finn presented a PowerPoint presentation with a focus on the advancement of the Old Fort Arrowhead Park Project and the extension thereof. McDowell County, the Town of Old Fort, Friends of Fontal Flora State Trail, and the McDowell Trails Association raised the \$330,000 match to the Parks and Recreation Trust Fund grant. The final sum of monies was

\$660,000.00 for phase one. Phase one of the park will include a lot of immunities for the residents of McDowell County, including restrooms, 100 parking spots, a paved segment of the Fonta Flora Trail inside the park, the McDowell Trails Association dog park, and a picnic pavilion. There will be additional segments added on both sides of the park.

M. Finn asked the Commissioners to approve the Water Resources Development grant, which will help fund the next phase of development, phase II, from the Curtis Creek area to Greenlee Road. The friends of fontal flora will be matching 50 percent at 68,750 dollars or 50 percent, whichever is the lesser amount.

Commissioner Ellis made a motion to approve the grant resolution which was seconded by Commissioner Allison. By a vote of 4 to 0, the motion passed.

The Board did express their appreciation to Ms. Finn for her hard work as well as expressed their thank you to Mr. Robert Hunter.

Mr. Hunter did share the history from the beginning of the Fonta Flora Trail to the present day and all of the hard work, time, hours, and effort that has gone into developing the NC trails.

Old Business

A. Building Project Update

Several building project updates were provided to the Board by County Manager Wooten.

- DSS Facility

There has been an ongoing discussion with the State about the current McDowell DSS facility, and the need to obtain funding to replace the current facility and have to have all units under one roof.

County Manager Wooten informed the Board it may be beneficial to submit an updated cost estimate, which could be prepared in the next few months.

Commissioner Ellis made a motion to accept the proposal from the firm Little which was seconded by Commissioner Allison. By a vote of 4 to 0, the motion passed.

- Recreation Center

The Recreation Center bid package is being developed. The goal is to have the project bid the first week of January.

- Animal Shelter

The animal shelter is being surveyed and evaluated for wetlands. The shelter staff have shared draft plans with the State inspector. There will be a site survey and the State is being consulted.

- Garden Street Parking Lot

This was the old location for the EMS. There is a grassy lot there now and there are continued discussions with the City of Marion about partnering on a parking lot on this property. There have been some discussions with local contractors.

B. Universal Property Agreement

County Manager Wooten updated the Board on an issue with land owed by the County near Universal. There is a small tract of land. The City of Marion also owns land in this area. It has been determined that it would be beneficial to have a single owner for all of the land for permitting purposes.

Commissioner Ellis made a motion to approve the interlocal agreement which was seconded by Commissioner Allison. By a vote of 4 to 0, the motion passed.

C. Broadband Update

County Manager Wooten updated the Board on the progress of Broadband for the County. The State is beginning to roll out the details for the Completing Access to Broadband (CAB) grant program. There is currently \$900,000 in allocated broadband funds remaining.

A motion was made by Commissioner Ellis to approve and apply for the CAB funding which was seconded by Commissioner Allison.

Commissioner Allison also noted that the \$1,000,000 that was set aside for ARPA has resulted in a positive return financially.

By a vote of 4 to 0, the motion passed.

D. Water System Projects

County Manager Wooten updated the Board on the unprecedented number of water-related projects.

Work has begun on Phase 1 in Nebo and the line on Lonesome Pine Drive is essentially complete. Hoppy Tom Hollow has been permitted and is ready for bidding. The grant for the East End project along NC 126 was awarded and the initial survey and design will begin soon. The residents in this area will be involved in a meeting that will take place that will take place this week. The Appalachian Regional Commission grant to extend water around Exit 90 has been awarded.

The Appalachian Regional Commission grant for \$500,000 to extend water toward West Marion Elementary was awarded. The State budget also granted \$3.88 million to McDowell County for the project to extend water around the community of West Marion Elementary. The Board of Education also voted to allocate \$500,000 over the several years.

Chairman Walker extended a thank you to the McDowell County School Board for working together on this project.

Commissioner Allison made a motion to have staff send a letter to the State to receive the formal letter to proceed, which was seconded by Commissioner Ellis. By a vote of 4 to 0, the motion passed.

New Business

A. Resolution of Support for Israel

The Resolution supporting Israel was presented to the Board.

Chairman Walker did read the three additions that were made to the Resolution.

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF THE MCDOWELL COUNTY, NORTH CAROLINA, SUPPORTING ISRAEL AND CONDEMNING TERRORISM

WHEREAS, Israel was founded as a Nation on May 14, 1948.

WHEREAS, the Holy Scriptures state in Genesis Chapter 12:3 “And I will bless thee, and curse him that curseth thee: and in thee shall all families of the earth be blessed.”

WHEREAS, The Board of Commissioners desires the blessings of the Almighty God on the citizens of McDowell County.

WHEREAS, on October 7, 2023, during the sacred Jewish holiday of Shmini Atzeret, Hamas, a designated terrorist organization by the United States and other countries, launched a coordinated attack on Israel from the Gaza Strip; and

WHEREAS, the recent Hamas terror attack has caused immense suffering, loss of innocent lives, and inflicted widespread damage on a peaceful civilian population firing thousands of rockets toward Israel’s major population centers, breaching Israel’s borders, infiltrating Israeli communities, kidnapping civilians, wounding more than 3300, and killing more than 1300 Israelis; and

WHEREAS, the residents of Gaza Strip are not Israel’s enemies with many such residents opposing Hamas’ terrorist actions; and

WHEREAS, we encourage and support efforts of Israeli leadership to reduce harm to uninvolved civilians who may be used as human shields to protect weaponry and leadership located and embedded in civilian structures such as schools, hospitals, and mosques; and

WHEREAS, at least 20 United States citizens in Israel are among those who were tragically killed, with additional U. S. citizens being held hostage, in this attack perpetrated by Hamas; and

WHEREAS, it is the responsibility of local government to actively address and condemn acts of terrorism that threaten peace, security, and the well-being of its community; and

WHEREAS, the residents and employees of McDowell County are deeply concerned about the escalating violence, loss of life, and the impacts of this terror attack on innocent civilians; and

WHEREAS, it is essential for local communities to stand together against acts of terrorism and express solidarity with those affected by such atrocities; and

WHEREAS, McDowell County stands firmly against any form of terrorism, violence, and extremism that undermines the principles of coexistence, peace, and human dignity.

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

1. Stands in solidarity with the right of the State of Israel, as a sovereign nation, to defend itself and its residents against the despicable acts of Hamas and aligned terrorist groups.
2. Stands in solidarity with the right of Israel, and all people, to live in peace and security.
3. Stands in solidarity with the greater McDowell Jewish community, as well as residents and employees of McDowell County, who have been impacted by this terrorist act and support efforts to aid and support to those affected.
4. Strongly condemns the recent Hamas terror attack in Israel and expresses its deepest condolences to the victims and their families affected by this act of violence.

A motion was made by Commissioner Ellis to accept the Resolution and was seconded by Commissioner Allison. By a vote of 4 to 0, the motion passed.

B. Administrative Items

County Manager Wooten presented the administrative items, including one additional item.

In 2008 McDowell County agreed to receive property on Baldwin Avenue due to the property being donated to the college for training facility by the Ford Miller Family. The college cannot finance property without the County's participation. That debt is now paid and the County would like to return the deed to the college at this time.

A motion was made by Commissioner Allison to approve the return of the deed and was seconded by Commissioner Ellis.

Water system write-off of \$70.98

EMS write-off of \$56,559.53.

County Manager Wooten also presented a financial proposal for eight Sheriff's Office vehicles. First Citizen Bank had the lowest rate of 4.69% and financing of \$446,007.

A motion was made by Commissioner Ellis to approve the administrative items and was seconded by Commissioner Allison. By a vote of 4 to 0, the motion passed.

C. Budget Update

County Manager Wooten presented the Board with several budget updates.

The property tax collection report shows a 62.02% collection rate through the end of October.

County Manager Wooten provided the Board with information about the project budget ordinance amendment for the Universal Industrial Park Water and Sewer Amendment. The Board was also updated on a project closeout resolution for Triple Aught Design and the grant project budget ordinance for the animal shelter.

GF-7 allocates grant funds, donations, and fund balance for Emergency Services.

GF-8 allocates interest revenue for bank fees.

GF-9 is the transfer between line items and appropriates prior year Dogwood grand funds in Public Service.

GF 10 appropriates donations, loan proceeds, and prior year reserves in the Sheriff's Office.

GF 11 is the transfers between line items, appropriates program revenue and prior year reserves in the Recreation.

DS1 reduces the transfer in the General Fund for debt service payments.

A motion was made by Vice Chairman Brown to approve the budget items and was seconded by Commissioner Allison. By a vote of 4 to 0, the motion passes.

D. Tax Matters

County Manager Wooten updated the Board on the County's tax items.

The NC vehicle tax refund- 457.23

Releases under the amount of \$100 – 76.79 and \$4,861.95

Releases over \$100 - \$2,003.54

Refunds- \$683.66 and \$3,670.72

A motion was made by Commissioner Allison to approve tax matters and was seconded by Commissioner Ellis. By a vote of 4 to 0, the motion passed.

E. 2024 Meeting Schedule

County Manager Wooten presented the Board with a proposed 2024 meeting schedule. This schedule will be shared with the public and is subject to change if needed.

Description:

The following is the proposed 2024 meeting schedule. Every meeting is a Monday and the meeting location is 69 N. Main Street in Marion unless otherwise stated.

January 8, 2024 5:00pm

January 22, 2024 11:30 am (Suggested since January 15 is MLK Day)

February 12, 2024 5:00 pm

February 19, 2024 11:30 am

March 11, 2024 5:00 pm

March 18, 2024 11:30 am

April 8, 2024 5:00 pm

April 15, 2024 11:30 am

May 13, 2024 5:00pm

May 20, 2024 11:30 am

June 10, 2024 5:00pm

June 17, 2024 11:30am

June 28, 2024 11:30am

July 8, 2024 5:00 pm

July 15, 2024 11:30 am

August 12, 2024 5:00 pm

August 19, 2024 11:30 am

September 9, 2024 5:00 pm

September 16, 2024 11:30am

October 14, 2024 4:00 pm (Carson House)

October 21, 2024 11:30 am

November 18, 2024 5:00 pm (Suggested since November 4 is the day before the election and

November 11 is Veterans Day)

December 2, 2024 5:00 pm

December 16, 2024 11:30 am

A motion was made by Vice Chairman Brown to accept the proposed schedule and was seconded by Commissioner Allison. By a vote of 4 to 0, the motion passed.

Citizen Comment

Ms. Peggy Willis addressed the Board and shared her frustration with the problem of homelessness in her neighborhood, addiction, and her concerns about the safety of her family and neighbors. Ms. Willis specifically asked for the Commissioners to stop allowing other surrounding counties to bus homeless individuals to McDowell County. Ms. Willis stated she has contacted law enforcement to address the problem.

Mr. Kenneth Wegman addressed the Board and spoke to the Board about the shocking rise of tax increases. He also expressed concern about government intimidation. He would like some questions answered about the company selected to complete the reevaluation.

Mr. Chris Price addressed the Board about his concerns about McDowell County and cultural Marxism. He read a letter about his concerns regarding My Future NC and the institutions associated with the organization such as the Bill and Melinda Gates Foundation. He requested the Board to revoke the resolution that was passed in support of My Future NC.

Mr. Craig Sink addressed the Board also on his concerns regarding My Future NC. He also addressed his concern with the association with the Bill and Melinda Gates Foundation. His concern is the goal of this company is to begin infiltration education in kindergarten. He asked for the Board to withdraw the support of My Future NC.

Commissioners/Staff Christmas Greetings

Commissioner Allison read out of Luke chapter 2, the Christmas story.

Chairman Walker, Vice Chairman Brown, Commissioner Ellis, Commissioner Allison, County Manager Wooten, and Clerk to the Board all sent well wishes, and Christmas greetings and blessings to every resident in the County.

Closed Session

A motion was made by Vice Chairman Brown at 6:23 to enter into a closed session according to NCGS 143-318.11(a)(6) and was seconded by Commissioner Allison. By a vote of 4 to 0, the motion passed.

A motion was made by Vice Chairman Brown to end the close session at 7:05 and was seconded by Commissioner Ellis. By a vote of 4 to 0, the motion passed.

Adjournment

A motion was made to adjourn by Commissioner Allison and was seconded by Commissioner Ellis. By a vote of 4 to 0, the motion passed.

David N. Walker

Chairman

Charity Turner-Coates

Clerk to the Board