

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

Assembly

The McDowell County Board of Commissioners met in Regular Session on Monday, July 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; Chris Allison; Patrick Ellis; Lynn Greene

Members Absent

David N. Walker, Vice-Chairman

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 Commissioner Allison. The pledge of allegiance was given by Commissioner Ellis.

Approval of Minutes

Commissioner Ellis made a motion to approve the June 1, 2023, Special Session minutes, the June 12, 2023, Regular Session minutes, and the June 19, 2023, Regular Session minutes, seconded by Commissioner Allison. By a vote of 4-0, the motion passed.

Approval of Agenda

Commissioner Ellis made a motion to approve the June 12, 2023 agenda, seconded by Commissioner Allison. County Manager Ashley Wooten requested that two items be added to the Budget Reports portion of the agenda: Maple Leaf Project Budget Ordinance and the East End Engineering Agreement Contract. Commissioner Ellis made a motion to modify his original motion to approve the changes, seconded by Commissioner Allison. By a vote of 4-0, the motion passed.

Universal Property Update

Economic Development Director Chuck Abernathy provided an overview of the proposed sale of the newly-graded industrial site near Universal. The approximate acreage is 11 acres. The proposed sale price that was approved previously is \$10,000 acre, which is based on an incentive agreement related to the value of the private investment and the job creation. Mr. Abernathy gave a brief description of the company, Forza, that will be utilizing the site and an update on the process of the sale. Mark Miller from Forza was present for the meeting.

Commissioner Ellis made a motion to approve and move forward with the sale of the property at \$10,000 an acre pending transfer, the incentive agreement, and to allow the company to go to the site with Mr. Abernathy and Mr. Wooten as needed to check it after the surveying is complete, seconded by Commissioner Allison. Mr. Abernathy requested that there be authorization for the deed to be drafted and recorded to be added to the motion. Commissioner Ellis amended his motion to add the authorization for the deed to be drafted and recorded, seconded by Commissioner Allison. By a vote of 4-0, the motion passed.

Emergency Operations Plan Update

County Manager Ashley Wooten gave an overview of the proposed Emergency Operations Plan update. The update was assisted by a firm named Envirosafe and the staff from Foothills Regional Commission.

Commissioner Greene made a motion to move forward with the Emergency Operations Plan, seconded by Commissioner Allison. Commissioner Allison confirmed that it would be paid for with grant funding. By a vote of 4-0, the motion passed.

Cryptocurrency Moratorium Public Hearing

Planning Director Ron Harmon gave an overview of the moratorium timeline. In May, the Board authorized a moratorium on the development of cryptocurrency mining operations in the unincorporated parts of the County. Since that hearing was held on very short notice, only a 60-day moratorium could be adopted. Based on comments at that hearing, staff scheduled a second hearing with a longer notice period.

Chairman Brown declared the meeting into a public hearing at 5:15 p.m.

Marvin Radford asked that the moratorium be approved.

Commissioner Greene made a motion to go out of the Public Hearing at 5:16 p.m. seconded by Commissioner Allison. By a vote of 4-0, the motion passed.

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

Planning Updates

In addition to the Cryptocurrency Mining item, the Planning Board has worked on several items recently including the Firearms Safety ordinance. There has also been a review of the Animal Control Ordinance. The Firearm Safety Ordinance is currently under review with other County officials including the County Attorney and the Sheriff.

Mr. Harmon suggested an update of the Mobile Home Park ordinance to include other classifications including RVs, tiny homes, etc. since these types of structures are being grouped together in a manner similar to mobile parks. The primary focus of the ordinance update would be to ensure public safety and public health concerns are addressed.

Commissioner Ellis made a motion to accept the suggestion of updating the Mobile Home Park ordinance to include other classifications including RVs, tiny homes, etc., seconded by Commissioner Allison. By a vote of 4-0, the motion passed.

Staff suggested moving the animal control ordinance review to an ad hoc committee comprised of representatives from Animal Services, the Sheriff's Office, the County Manager's Office, and the Planning Department. This review would free up the Planning staff and Board for other items, including cryptocurrency and the RV/tiny home items.

Commissioner Ellis made a motion to approve the staff's suggestion of creating the committee, seconded by Commissioner Allison. By a vote of 4-0, the motion passed.

Water Project Update

Staff continues to work on an unprecedented number of water-related projects. Here are several water-related updates. The following projects are sorted by proximity to construction:

Construction Soon

- Contracts have been signed for Nebo Phase 1A and 1B. The pre-construction meeting is scheduled for several weeks. The construction should start in August.
- The Universal water and sewer extension project should start in July.

Permitting Soon

- Nebo Phase 2A and Hoppy Tom Hollow are being submitted to NCDEQ for plan review.

Design Soon

- The grant for the East End project along NC 126 was awarded. The engineer selection process has been initiated.
- An Appalachian Regional Commission grant to extend water around Exit 90 has been awarded. Staff will initiate the engineer selection process soon.

Possible Award

- The study of water service to the West Marion Elementary Area is complete. An ARC pre-application was accepted. An award announcement will likely be made in September.

Capital Update

Recreation Center

The bids for the Recreation Center project are still pending. The Board's last direction was to hold off on any decision-making until the State releases its budget, which has not yet happened. It is possible that you may need or want to have a called meeting later in the month once the budget has been announced.

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. He has provided a floor plan and cost estimate. There is approximately \$325,000 in state funding for this project, so there will need to be a discussion of if the work is to proceed using other funds.

Animal Shelter

The architects have developed a working floor plan. They can move to the next step to have CAD drawings put together.

There have been discussions about having a fundraiser in addition to the funds that have already been committed for the facility.

Pilot Plant Sale

The buyers are still in the process of having their loan approved.

Garden Street Parking Lot

The EMS building on Garden Street is gone, though the foundation remains. An engineer will help put together a plan for making that area a parking lot. There have been discussions with the City about a partnership.

Strategic Planning Proposal

The City of Marion recently completed a strategic planning process. The team behind this plan is with the NC Department of Commerce. This group is willing and able to assist the County with a strategic planning process. These plans often help the community and others to understand long-held strategic goals (economic development, public education, etc.).

Commissioner Ellis made a motion to approve the strategic planning process and to get started, seconded by Commissioner Greene. There was a discussion and request for evening meetings. By a vote of 4-0, the motion passed.

NCACC Evaluation Services

Staff recently learned that the NC Association of County Commissioners will deploy subject matter experts to evaluate various county government departments. One particular department they have been studying lately is Tax Assessing and Collections.

Staff suggested inviting the NCACC experts to come to evaluate our Assessing and Collections department to determine if they need different staffing arrangements, software systems, etc. Both the Tax Assessor and Tax Collector are supportive of this concept.

Commissioner Greene made a motion to authorize the request for NCACC experts to come and evaluate the Tax Assessing and Tax Collections departments, seconded by Commissioner Ellis. By a vote of 4-0, the motion passed.

Budget Reports

The County Manager presented the Board with the monthly budget information. The sales tax information had sales through April. The property tax collection report shows a collection rate of 99.64% through June.

Commissioner Allison made a motion to approve the Maple Leaf Project Ordinance, seconded by Commissioner Greene. By a vote of 4-0, the motion passed.

Commissioner Allison made a motion to approve the East End Contract, seconded by Commissioner Ellis. By a vote of 4-0, the motion passed.

Administrative Items

- EMS Write-offs Totaling \$104,165.03
- Pay Policy Adjustments - There are several pay policy adjustments that need to be made due to the pay study that took place. In addition to an adjustment to the pay scale and grades, there is also a need to adjust language that has allowed the County Manager to approve hiring employees at a higher level than the base due to experience, education level, etc.

The other language handles situations where employees may be at a level above the maximum for their pay grade. In these instances (which can happen with Board approval), the base salary would stay at the maximum level for their position, but there would be supplemental compensation paid in addition to the salary. Any future COLAs would apply to the supplemental pay and not the base salary.

Commissioner Greene made a motion to approve administrative items, seconded by Commissioner Allison. By a vote of 4-0, the motion passed.

Board Appointments

There was a second reading for numerous boards and committees.

- Juvenile Crime Prevention Council (JCPC): one vacancy for a faith-based seat
- Library Board of Trustees: two vacancies – one for the Marion district and one for the Old Fort district
- McDowell Technical Community College Board of Trustees: one vacancy
- Planning Board: four vacancies
- Senior Center Focal Point Advisory Committee: four vacancies
- Transportation Advisory Board: one vacancy
- Tourism Development Authority (TDA): one vacancy
- Agriculture Advisory Board: one vacancy

The Commissioners needed to elect a voting delegate for the NCACC conference that will be held in August. Commissioner Allison was selected as the voting delegate.

Commissioner Greene made a motion to nominate Commissioner Allison as the voting delegate for the NCACC conference, seconded by Commissioner Ellis. By a vote of 4-0, the motion passed.

Tax Matters

Commissioner Greene made a motion to approve all tax matters, seconded by Allison. By a vote of 4-0, the motion passed.

Citizen Comment

Ron Sinclair spoke on expanding broadband in McDowell County.

Commissioners/Staff Reports

Commissioner Ellis discussed the transfer station and its needs. He requested that staff look into the issue.

Commissioner Ellis requested for health insurance personnel to come and brief the Board in an upcoming meeting.

Adjournment

Commissioner Greene made a motion to adjourn at 5:53 p.m., seconded by Commissioner Allison. By a vote of 4-0, the motion passed.

Attest:

Victoria Craig
Clerk to the Board

Tony G. Brown
Chairman