

**STATE OF NORTH CAROLINA
COUNTY OF MCDOWELL COUNTY
BOARD OF COMMISSIONERS
REGULAR SESSION – May 8, 2023**

Assembly

The McDowell County Board of Commissioners met in Regular Session on Monday, May 8, 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; Chris Allison; Patrick Ellis; Lynn Greene

Members Absent

None

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 Allison.

Approval of Minutes

Vice-Chairman Walker made a motion to approve the April 10, 2023 Regular Session minutes, the April 17, 2023 Regular Session minutes, and the April 25, 2023 Special Session minutes, seconded by Commissioner Allison. By a vote of 5-0, the motion passed.

Approval of Agenda

Vice-Chairman Walker made a motion to add two topics to the April 10, 2023 agenda: a resolution pertaining to a current House Bill and instant title and boat registration, the changes were seconded by Commissioner Ellis. By a vote of 5-0, the motion passed.

TDA Director Introduction

The Tourism Development Authority (TDA) hired Shannon Odom as the new Director. Mr. Odom introduced himself to the Board and other meeting attendees. Mr. Odom shared details of his prior experience and his excitement in his new role as TDA Director.

PACE

Kirsten Cone from HCA was present to discuss the Program for All-Inclusive Care for the Elderly (PACE). CarePartners indicated that they were applying to state and federal authorities for authorization to expand PACE in McDowell County. PACE is an innovative and highly

integrated model of care that offers comprehensive medical and social services for low-income elders. PACE goals align with both the participants and the community:

- Remain in the home.
- Remain as healthy and functional as possible for as long as possible.
- Remain out of costly acute care settings and institutional living.

Senior Center Updates

Senior Center Director Weyland Prebor gave an update on the activities of his department. He expressed interest in seeking grants and donations to add a classroom to the Old Fort AC Bud Hogan Community Center. There are several grant and foundation opportunities that would potentially cover the cost of the expansion, but the cost estimate is needed as a starting point. Mr. Prebor requested permission to have an architect develop a schematic and cost estimate for the addition of a classroom to the Old Fort facility.

Vice-Chairman Walker made a motion to approve an architect to develop a schematic and cost estimate for the addition of a classroom at the Old Fort AC Bud Hogan Community Center, seconded by Commissioner Greene. By a vote of 5-0, the motion passed.

Mr. Prebor requested the Board to consider drafting a letter of support of House Bill 476 to send to legislatures to increase the amount of the "Personal Needs Allowance" given to residents of long-term care facilities from the \$30 that was set in 1987 by the State of North Carolina.

Vice-Chairman Walker made a motion to draft a letter of support of House Bill 476, seconded by Commissioner Greene. By a vote of 5-0, the motion passed.

State of the Chamber

The Chamber of Commerce Director Kim Effler was present to update recent Chamber activities. There have been many accomplishments with the Chamber and local businesses throughout McDowell County. Currently, there are 426 Chamber members. There are 2 full-time and 2 part-time employees at the Chamber who cover all needs in the County. The Chamber continues to serve McDowell County to the best of its ability.

Water Project Updates and Approvals

Construction

- Bids were received and opened for Nebo Phase 1A and 1B last week. The same company, Hyatt Pipeline LLC, won both 1A and 1B bids.

Vice-Chairman Walker made a motion to approve the receipt of the bids and approve the resolutions of the tentative awards to the lowest bidder, Hyatt Pipeline LLC, seconded by Commissioner Allison. By a vote of 5-0, the motion passed.

- The Universal water and sewer extension bids were opened on May 2. Kemp Sigmon Construction was the low bidder with a base bid price of \$881,610.68. This will be covered with State funding and the County's allocated ARPA funds.

Commissioner Ellis made a motion to accept the receipt of the bids and accept Kemp Sigmon Construction for the project, seconded by Commissioner Allison. By a vote of 5-0, the motion passed.

Permitting

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

Design

- 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.

Potential Award

- 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.

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 OF TENTATIVE AWARD

WHEREAS, McDowell County, North Carolina has received bids, pursuant to duly advertisement notice therefore, for construction of the Nebo Water System Expansion Phase 1A, and

WHEREAS, McGill Associates, PA, the Town's Consulting Engineers have reviewed the bids; and

WHEREAS, Hyatt Pipeline, LLC. was the lowest bidder for the Nebo Water System Expansion Phase 1A construction contract, with a total bid amount of \$2,493,385.00, and

WHEREAS, the consulting Engineers recommend TENTATIVE AWARD to the lowest bidder(s).

NOW, THEREFORE, BE IT RESOLVED that the TENTATIVE AWARD is made to the lowest bidder, Hyatt Pipeline, LLC in the Total Bid Amount of \$2,493,385.00.

Name of Contractor	Amount
1. Hyatt Pipeline, LLC	\$2,493,385.00
2. Huntley Construction Company	\$2,598,561.00
3. T&K Utilities, Inc.	\$2,633,825.00
4. Buckeye Bridge, LLC	\$2,686,414.00
5. T.P. Howard's Plumbing Co., Inc.	\$2,780,000.00
6. Two Brothers Utilities, LLC	\$2,922,300.00
7. Piedmont Utility Group, Inc.	\$3,030,034.74
8. Cooper Construction Company, Inc.	\$3,199,353.00

BE IT FURTHER RESOLVED that such TENTATIVE AWARD be contingent upon the approval of the North Carolina Department of Environmental Quality – Division of Water Infrastructure.

Upon motion of Vice-Chairman Walker, seconded by Commissioner Allison, the above RESOLUTION was unanimously adopted.

This is the 8th day of May 2023.

Tony G. Brown
Chairman

(Seal)

Attest:

Victoria Craig
Clerk to the Board

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 OF TENTATIVE AWARD

WHEREAS, McDowell County, North Carolina has received bids, pursuant to duly advertisement notice therefore, for construction of the Nebo Water System Expansion Phase 1B, and

WHEREAS, McGill Associates, PA, the Town's Consulting Engineers have reviewed the bids; and

WHEREAS, Hyatt Pipeline, LLC. was the lowest bidder for the Nebo Water System Expansion Phase 1B construction contract, in the total bid amount of \$1,330,695.50, and

WHEREAS, the consulting Engineers recommend TENTATIVE AWARD to the lowest bidder(s).

NOW, THEREFORE, BE IT RESOLVED that the TENTATIVE AWARD is made to the lowest bidder, Hyatt Pipeline, LLC in the Total Bid Amount of \$1,330,695.50.

Name of Contractor	Amount (w/ Alternates)
1. Hyatt Pipeline, LLC	\$1,330,695.50
2. Buckeye Bridge, LLC	\$1,543,457.00
3. Huntley Construction Company	\$1,567,290.00
4. Two Brothers Utilities, LLC	\$1,699,640.00
5. T&K Utilities, Inc.	\$1,733,960.00
6. T.P. Howard's Plumbing Co., Inc.	\$1,768,000.00
7. Piedmont Utility Group, Inc.	\$1,882,772.94
8. Cooper Construction Company, Inc.	\$1,976,927.00

BE IT FURTHER RESOLVED that such TENTATIVE AWARD be contingent upon the approval of the North Carolina Department of Environmental Quality – Division of Water Infrastructure.

Upon motion of Vice-Chairman Walker, seconded by Commissioner Allison, the above RESOLUTION was unanimously adopted.

This is the 8th day of May 2023.

Tony G. Brown
Chairman

(Seal)

Attest:

Victoria Craig
Clerk to the Board

Broadband Update

The GREAT grant agreement with Spectrum has been signed. The company indicates they are now entering the design phase of the work which will take several months.

The Completing Access to Broadband (CAB) program details are to be released soon. Staff will monitor the NCDIT website for program announcements.

The CAB program requires a minimum 35% match from counties. Since the County has \$900,000 remaining from prior allocation, the maximum project that can be constructed is approximately \$2.5 million with the company contributing a maximum of around \$750,000 and the state contributing around a maximum of \$875,000.

Vice-Chairman Walker made a motion to allow staff to proceed to complete the intent of the Board, which is to spend the \$1,000,000 towards matching funds to expand Broadband in the County, seconded by Commissioner Ellis. By a vote of 5-0, the motion passed.

Building Projects

DSS Building

The architecture firm Little has initiated site evaluations on County-owned property on Spaulding Road for a future DSS building. Once a site is selected and recommended, the firm can develop a recommended footprint, which will help with cost development.

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.

Animal Shelter

The County has received indications from several private donors that they would be willing to donate upwards of \$350,000 toward the construction of a new shelter. When added to the \$275,000 from the Pilot Plant sale proceeds, there is approximately \$625,000 allocated and/or promised towards the cost of a new facility.

Staff has met with the architects from the firm Form + Function who are recommended to develop a schematic and cost estimate for the facility. Once the cost is developed, staff will be better able to determine what additional funding and what other sources will be needed for a successful project.

Vice-Chairman Walker made a motion to approve moving forward with a cost and schematic proposal from the architect Form and Function, seconded by Commissioner Greene. By a vote of 5-0, the motion passed.

Courthouse Technology Project

The Administrative Office of the Courts (AOC) has started to roll out a technology program to every courthouse. They call this the CRAVE/WAVE program. The program will provide communication technology to the courtrooms and public areas.

The County is responsible for providing the installation of the equipment. Fortunately, Dogwood Health Trust has provided a grant of up to \$20,000 to go towards the project. The total cost of the work is approximately \$35,000.

Vice-Chairman Walker made a motion to approve the grant and installation of the equipment, seconded by Commissioner Allison. By a vote of 5-0, the motion passed.

Maple Leaf Playground Grant

The Parks and Recreation Trust Fund Authority recently approved the County's Maple Leaf Playground grant. The next step will be to finalize the project design and then proceed with bidding. The grant is for \$500,000. The County has committed \$100,000 in ARPA funds for the match.

Commissioner Greene made a motion to approve the grant contract, seconded by Commissioner Ellis. Vice-Chairman Walker requested a design to be presented to the Board within 30 days. By a vote of 5-0, the motion passed.

Gold Rush 5k

The Ruritan Club is hosting its annual 5K this year on June 3rd and requested an ordinance approval for the DOT road closure.

Vice-Chairman Walker made a motion to approve the ordinance for the road closure on June 3, 2023, seconded by Commissioner Allison. By a vote of 5-0, the motion passed.

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Chris Allison, Commissioner
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McDowell County

AN ORDINANCE DECLARING A ROAD CLOSURE FOR THE 2023 GOLD RUSH RUN 5K

WHEREAS, the McDowell County Board of Commissioners is supportive of events held by various community groups; and

WHEREAS, the Glenwood Ruritan is planning to hold the annual Gold Rush Run 5K race on Saturday, June 3, 2023; and

WHEREAS, the McDowell County Board of Commissioners recognizes that this Run requires approximately one and three-quarter hours to install signing and traffic control, hold the Run and for the removing of signs, traffic control, and litter;

NOW THEREFORE BE IT ORDAINED by the McDowell County Board of Commissioners pursuant to the authority granted by G.S. 20-169 that they do hereby declare a temporary road closure during the day and time set forth below on the following described portion of a State Highway System route:

Date: Saturday, June 3, 2023

Time: 7:45 a.m. to 9:30 a.m.

Route Description: 1250 SR 1781 Polly Spout Rd to 3000 Polly Spout Rd.

This ordinance to become effective when signs are erected giving notice of the limits and times of the event, and implementation of adequate traffic control to protect participants and to guide vehicles around the event route.

Adopted this 8th day of May, 2023.

ATTEST:

Victoria Craig
Clerk to the Board

Tony G. Brown
Chairman

JCPC Approvals

The Juvenile Crime Prevention Council has requested approval of the following:

- The membership roster with designees from various officeholders and organizations
- The annual spending allocation plan.
- A resolution of support requesting that salaries at juvenile detention centers be adjusted due to low staffing levels.

Commissioner Ellis made a motion to approve all three items, seconded by Vice-Chairman Walker. By a vote of 5-0, the motion passed.

Budget Update

The property tax collection report shows a collection rate of 99.19% through March.

There were two project ordinance amendments: The Universal Industrial Park Project and Recreational Improvement Project. There were also several budget amendments:

GF 51 - To allocate grant revenue for Transportation.

GF 52 - To allocate reserved funds for Clerk of Court.

GF 53 - To allocate revenue and transfer between line items in Emergency Services.

GF 54 - To transfer between line items in Public Services.

GF 55 - To transfer between line items and appropriate revenue for the Animal Shelter.

GF 56 - To appropriate revenue for fuel and repairs in Waste Collections.

GF 57 - To appropriate revenue and reserved funds in the Register of Deeds.

GF 58 - To appropriate revenue in the Sheriff's Office.

GF 59 - To appropriate revenue in the Tag Office.

GF 60 - To appropriate revenue in Recreation.

SP2 - To amend the School Project Fund in School Project.

UENT 1 - To transfer funds to the Universal Project in the Enterprise Fund (Universal Building)

911F1 - To appropriate prior year adjustment in 911 fund

Vice-Chairman Walker made a motion to approve the budget items, seconded by Commissioner Allison. By a vote of 5-0, the motion passed.

Administrative Items

- EMS write-offs totaling \$307,712.47.
- The School System requested the waiver of inspection fees for the Tennis Courts Project. The anticipated fee is approximately \$10,513.
- Transit asked for an update to the System Safety Plan. The hard copy was made available in the Clerk to the Board's office.
- The contract for the auditor for the independent audit report was provided to the Board.

Vice-Chairman Walker made a motion to approve all administrative items, seconded by Commissioner Allison. By a vote of 5-0, the motion passed.

Board Appointments

The Juvenile Crime Prevention Committee (JCPC) continues to seek a faith-based seat member.

There was a first reading for the Jury Commission for a vacancy that will be available in June.

Charlotte Bright and Kim Moran applied to serve on the Historic Preservation Commission. After a vote of 3-2, Charlotte Bright was nominated to serve on the Commission.

Tax Matters

Commissioner Allison made a motion to approve tax matters, seconded by Vice-Chairman Walker. By a vote of 5-0, the motion passed.

House Bill 574

Vice-Chairman Walker made a motion for the Board to endorse and submit support for House Bill 574 which is entitled "The Fairness in Women's Sports Act," seconded by Commissioner Greene. By a vote of 5-0, the motion passed.

Tag Office

Vice-Chairman Walker made a motion to request from the State the ability to supply instant Titles in McDowell County as well as boat registration, seconded by Commissioner Ellis. By a vote of 5-0, the motion passed.

Citizen Comment

Alan Mainer discussed funding for the American Legion Van Service which is now called the Donald E. Davis Memorial Veterans Van Transportation System.

Vice-Chairman Walker made a motion for staff to review the request of Alan Mainer to potentially help fund the Donald E. Davis Memorial Veterans Van Transportation System, seconded by Commissioner Allison. By a vote of 5-0, the motion passed.

Commissioner/Staff Reports

None.

Adjournment

Vice-Chairman Walker made a motion at 6:36 p.m. to recess to May 11th at 5:00 p.m. located at 54 College Dr. Marion, NC, seconded by Commissioner Greene. By a vote of 5-0, the motion passed.

Attest:

Victoria Craig
Clerk to the Board

Tony G. Brown
Chairman