

**STATE OF NORTH CAROLINA
MCDOWELL COUNTY
BOARD OF COMMISSIONERS
REGULAR SESSION – December 2, 2024**

Assembly

The McDowell County Board of Commissioners met in Regular Session on Monday, December 2, 2024, at 5:00 p.m., in the Commissioner’s Board Room, 69 N Main St., Marion, NC.

Members Present

Chairman; Tony Brown, Vice-Chair; Lynn Greene, David N. Walker, Trisha Garner and Patrick Ellis

Members Absent

None

Others Present

Ashley Wooten, County Manager; Sena A. Allison, Clerk to the Board; Fred Coats, County Attorney; William Kehler, EMS Director and Tracy Swartout, Superintendent of the Blue Ridge Parkway

Call to Order

Chairman Walker called the meeting to order at 5:00 p.m. The Prayer was given by Vice Chairman Brown. The Pledge of Allegiance was led by Commissioner Ellis

Approval of Minutes

Commissioner Greene made a motion to approve the November 18th Regular Session minutes; with a second by Commissioner Ellis. By a vote of 5-0, the motion passed.

Approval of Agenda

Vice Chair Brown made a motion to approve the Agenda; this was seconded by Commissioner Ellis. By a vote of 5-0, the motion passed.

Selection of Chair and Vice Chair

Chairman Walker turned the floor over to the Clerk to the Board for voting on the Chair and Vice Chair . The Clerk asked for nominations for Chair, in which Commissioner Greene nominated Vice Chair Brown, with a second by Chairman Walker and a motion to close

nominations by Commissioner Ellis. By a vote of 5-0, the motion stood for Tony Brown to be the Chair.

The Clerk asked for nominations for Vice Chair, in which Commissioner Ellis nominated Commissioner Greene, with a second by Commissioner Walker. By a vote of 5-0, the motion passed for Lynn Greene to be Vice Chair.

Recognition of Route 70 Cruisers

Chairman Brown introduced the associates of the Route 70 Cruisers to present and share a goal they met. Phillip Poe recognized himself and Janet Spake as Co-Chairs and Betty Reel as Treasurer. Mr. Poe informed the Board their organization formed in 2009, in which they held a Show and donated funds to the County. Since then they have done other Shows in McDowell County and they have been honored to donate to 15 different charities in the County that includes MTCC scholarships for Automotive and Law Enforcement. The donations have been to McDowellcares.org, The Bear Closet, Fishers of Men, American Legion, the Men's and Women's Shelters and Mr. Poe spoke on a program that identifies children as homeless and the ways they donate to them. The Cruisers had a symbolic check that was for \$100,000.00 as the amount they have raised to date.

He lastly told their statement is "Making a Difference in McDowell County" with telling it is fun to have a toy, but it is nicer to give back, as he is proud of what they are doing and how it is a pleasure to be a part of giving.

The Board room gave applause to them and support of their generosity, with a photo taken to commemorate their presentation.

Helene Emergency Response

Chairman Brown welcomed William Kehler to come forth to give an update on Hurricane Helene response and recovery efforts. Mr. Kehler began with thanking the Board for the opportunity to give a Helene update, with this being day 69 of the EOC Activation and gave the following updates:

Roads

- US 221 North at Mountain Paradise Campground: NCDOT working on a temporary bridge, with temporary routes being coordinated to stay open. The top priority is to keep routes for EMS accessibility, adding Rail Road maintenance has begun there as well.
- NC 226 North, Coxes Creek remains open with no problems.
- NC 80 (was where one of the largest debris flow and landslide occurred) remains open to local traffic only with lane closures.
- Hwy 70 West at Curtis Creek bridge remains closed, with work to install a temporary bridge. This continues to be a significant impact to emergency calls of the EMS operation, fire department and the debris hauling to the holding field near Ethan Allen.

Lakes

- Lake Tahoma: they are working with FEMA and the US Army Corp of Engineers on debris removal from, as that is a significant water intake source.
- Lake James: the units remain offline; which is the ability to draw down the lake at any given time or move water through the lake system. The first restoration time for one of the units is scheduled for the end of March 2025, and will continue to monitor with any winter storms and rains that may come.

Water Systems

- Old Fort and Marion are both stable, with the temporary fix on the main line in Old Fort completed along with good reports of the hydrants pressure.

Utilities and Cell

- More stabilization of power, fiber, cell and cable throughout the County. The number of outages at the 911 center has decreased, with minimal isolated outages that are due to road or construction work.

McDowell County Disaster Hotline at 828-652-3241

- Operating 24/7 for all storm related questions and information where citizens can call and be assisted by a member of the EOC team.
- Calls reported are mostly water, well and septic issues, the need for heaters, FEMA and private bridges and culverts being out.

Community Comfort Stations for citizens with water issues

- Old Fort at 1 Water Street and Woodlawn at New Horizon Baptist Church at 5878 US 221 N in Marion.
- These resources were requested from the State and FEMA to include showers and laundry trailers and will remain until there is no need.

FEMA Disaster Recover Centers (DRC)

- McDowell Senior Center (Lower Level) 100 Spaulding Rd. opened Hours are Mon-Friday 8 a.m. – 6 p.m. and Saturday 9 a.m. – 2 p.m.

Debris Pickup

- Currently debris is being picked up on right of ways of state roads through the Army Corp of Engineers, who contracted Ashbritt Contractor for this service to the County. Local contractors can contact Ashbritt directly to place bids for debris removal.
- Old Fort has a tremendous amount of silt that was not figured in the initial scope of work. This has been approved for removal and has now began that process.

EOC Support and Old Fort

- Continued assistance to the Town of Old Fort staff with Disaster Response and Recovery.
- Recovery Scoping Meeting took place last week to discuss with FEMA, the damage and the number of projects the Town will require for recovery, with another meeting scheduled for December 5th.
- Hazard Mitigation money that will come post disaster will be significant and will go to the recovery needs.

Direct Housing Assistance

- FEMA is the lead agency, in which residents must apply at the DRC (address above) to be eligible for assistance, as this is not a County run program.
- Support includes hotel vouchers, rental assistance and direct housing for people whose homes were destroyed and not livable. The goal of FEMA is to place the housing on the citizens own property for septic and power, or if this is not doable, to move into one of the temporary housing locations.
- Applicants can apply for Individual Assistance (IA) with more housing to be available by FEMA as the need arises.

EOC and VOAD Coordination for Housing

- Emergency Operation Center (EOC) and Volunteer Organization Assisting in Disasters (VOAD) is led by Jerry Lewis from Grace Community Church which focuses on Emergency – Rapid – Repair to ensure homes are safe, sanitary and secure from damages caused by Helene.
- The lead organization is Baptist on Mission, along with other faith based and charity groups focused on repairs for citizens to move back in their homes safely.
- These organizations coordinate weekly at the EOC.
- Assistance can be sought by the Hotline number of [828-652-3241](tel:828-652-3241) or the mcdowellcares.org website directing to Baptist on Mission.
- The EOC has a “rapid response team” who will respond to families in need, to ensure no one suffers during the cold weather.
- The EOC staff is able to link Veterans with Veterans Services.

Private Roads and Bridges

- Estimations of destroyed private bridges are presently over 150 and currently there are assessments to all communities for bridge/culvert and private road damage.
- Citizens can call the Hotline to request an assessment for a temporary foot bridge.
- The EOC has partnered with the NC Forest Service to install temporary bridges in locations where the EM teams have assessed the value to the community.
- The EMS top priority for private bridges and roads is for a response plan to 911 dispatched calls. They need to have knowledge and a protocol to where these

bridges are, in order to be able to send the appropriate resources as some of the areas require 4-wheelers or UTV's to access the homes.

- The EOC fears any high-water event may impact these temporary structures, and will keep a close monitor if that occurs.
- FEMA is who to contact under Individual Assistance (IA). This program would be beneficial for communities who have more than one family that uses a bridge, and for each family to apply for individual assistance.
- There is ongoing advocacy to the State to bring back the OSBM Program for assistance to private roads and bridges.

Commissioner Walker made a motion to send a letter to Senator Warren Daniels, Dudley Greene, Speaker of the House, Tim Moore; the House, the Senate and the Chairman of the Committee along with a Resolution for the State to appropriate funds to McDowell County homeowners to cover what FEMA will not for private bridges, with a second by Vice Chair Greene. By a vote of 5-0, the motion passed.

Chairman Brown made a motion to amend the letter with language for those who have already paid for repairs or have replaced their bridges to be reimbursed, with a second by Commissioner Walker. By a vote of 5-0, the motion passed.

Debris Pickup Current Locations

- Currently debris is being picked up on right of ways of state and secondary roads.
- The construction debris in Old Fort has been a tremendous task and will continue.
- Citizens can pull their vegetated and structural debris to the right of way to the road, and a later process to be established for large structure debris.
- Future pickup includes: right of way for private roads, developments, waterways, private property (destroyed structures), campgrounds, commercial property and gated communities with right of entry (ROE) required by the HOA's.
- EOC is working with FEMA and the Army Corp of Engineers on a weekly basis, to identify the most at-risk areas that could affect critical infrastructure.

Hazard Mitigation

- The State in conjunction with FEMA has released the Elevation Grant Program for homes that were destroyed, flooded and effected, to allow citizens to apply to have their structure evaluated to make it more resilient for future floods. This Program also includes grants for generators to protect critical infrastructure.
- Another alternative (that is voluntary only) for residents, is to apply for a buyout.
- Residents apply online at www.NCDPS.gov/HM
- This is a Federal program wherein it is not mandatory for residents, but is a last resort, which may be a process that takes years to complete.
- The EOC's task is to identify the structure, the technical process, submit the application and assist through the process.

- Hazard Mitigation grants have already been in the process for a couple of years with some of the fire departments and the senior center.

Financial Reimbursement for County Organizations

- The EOC is working diligently in capturing all the costs that are eligible to be submitted to FEMA.
- The EOC Liaison Officer (Desiree McLaughlin) is working hand and hand with other organizations, FEMA, the local fire departments and rescue squad to ensure every dollar spent on Helene is reimbursable and comes back to the County. This is the commitment and a team effort that is complex as they are federal programs.

Chairman Brown thanked Mr. Kehler for his update and spoke on behalf of the Board to recognize he and his staff for the countless hours they continue to endure through Helene. He also noted the director and his staff always answer the phone when he calls no matter what time it is and that is a blessing. The room admonished this and gave Mr. Kehler applause, in which he then showed his appreciation to Mr. Wooten, the Department Heads and the Board for their support on any requests or needs he has asked for. Commissioner Walker noted his gratitude for the kind of training and responsibility he gives to the younger employees, as they are being leaders. Mr. Kehler spoke on how Desiree McLaughlin and other employees have taught him as well and how proud he is of them. Vice Chair Greene thanked Mr. Kehler again, for the pre-planning that was executed prior to Helene, as other Counties did not do this and how different it would have been here without his efforts.

Blue Ridge Parkway Update

Chairman Brown welcomed Tracy Swartout, the Superintendent of the Blue Ridge Parkway National Park Service who began slides and a presentation. She told the Blue Ridge Parkway is one of the most visited units the National Park Service where 16.7 million people visited last year and is one of the highest economic contributors of all the national park units in the country.

Regional Landslides

- Approximately 2,000 slides identified by working with the United States Geologic Survey, NASA and others. The most significant slide was between Linville Falls and Mt. Mitchell of approximately 50 slide areas in that section.

Additional Impacts

- Additional impacts beyond roadway slides include: massive natural and cultural resource damage, trail damage, erosion damage to Historic structures, facilitation of ponds, historic Mill ponds, massive amounts of debris, significant damage to drainage culverts and of course access. Their first and foremost objective was employee accountability which was at 100%.

Parkway Response

- Response included to reinstitute access to see and understand the damage as well as reestablish things like critical telecommunications towers. This was in places like Mount Mitchell and others, where outside entities depend on towers that are located on Parkway lands and some have been damaged.
- Deployment of cement barriers to ensure public and employee safety.
- Hosting two “type 2” teams which consisted of National Park employee units all around the country that were deployed in North Carolina and Virginia on the parkway for recovery assistance. After two weeks, they had a “type 3” team for six weeks.

Parkway- NC Road Damage Locations in North Carolina

- Road damage locations in almost the entirety of the Parkway, Mount Mitchell being significant.
- 11 miles in the Asheville Corridor required more than 300 truckloads of material being removed after a full month of working 14-hour days consisting of cutting, stacking and chipping. The employees and a contractor did the work with the lumber going to the mill and as firewood, whereas nothing was lost.
- Current road status shows 469 miles stretched across 29 counties in Virginia and North Carolina with 310 miles open. All of Virginia open.
- The open sections right now consist of the southern end from North Carolina 215 at Beach Gap down to the Smokies and a small section in the Asheville Corridor that was less impacted, between Hendersonville Road at 191 and the Folk-Art Center at 70 and Tunnel Road. Also open is a small section up in the Boone/Blowing Rock area, around Little Switzerland.

Recovery Work

- The Parkway has been approved for \$25 million in emergency repair from Federally Owned Road Funding for federal highways, including some of the ones in McDowell County. This work set to begin in the winter, includes significant guard rail damage, covert clearing before the next significant rains of the season and massive amounts of debris. The Parkway is hopeful for a disaster supplemental funding bill to pay for the next step of road recovery work including structural repair, fuel management of the timber, trails damage, debris removal, recovery for dams, campgrounds and picnic areas. Most areas that were damaged will remain closed until 2025.

Parkway Priorities Post Helene

- Employee and Visitor Safety, Communications
- Operational Activities and supporting the Communities
- Permanently repairs to all damage using grant funding in a timely manner

Chairman Brown thanked Ms. Swartout for her informative presentation.

Animal Control Ordinance

Mr. Wooten began with a directive that the Board had given to the Planning Board, for an evaluation of our current ordinance. This would include conditioning or enhancements for the protection of property owners, such as dogs roaming that may cause threatening of life and property. The Planning Board has been in discussion with our County Attorney and has requested permission for further review fines and what is allowable by Statute. He noted the current ordinance was written when Animal Control Services were under the Sheriff's Office.

Commissioner Walker made a motion to allow the Planning Board more time to review, with a second by Vice Chair Greene. By a vote of 5-0, the motion passed.

Commissioner Walker brought up someone mentioning to him how the current staff are mostly ladies who respond to a call and have no protection, such as mace whereas when Animal Control was under the Sheriff's Office, they carried a firearm. He made a request for Mr. Wooten to bring the Board suggestions to the safety of those ladies who are going out to people's homes and need protection. Mr. Wooten responded having already reached out to the Director for better understanding of this, and he requested the Board's authorization to allow staff to carry pepper spray/mace.

Commissioner Walker made a motion to allow the Animal Control staff to carry pepper spray/mace, with a second by Commissioner Ellis. By a vote of 5-0, the motion passed.

Mr. Wooten will get back to the Board if another mode of defense is recommended by the Director.

Broadband Update

The County Manager told how Spectrum and SkyRunner have resumed working in the community since Helene. He noted the Board had authorized the participation to the Completing Access Broadband (CAB) program through the State, in which there has been no notifications posted and will hope to have more to report next month.

Water Updates

Mr. Wooten highlighted completion to Phase 1 of the Nebo water system expansion and the Hoppy Tom Hollow project. Nebo Phase 2A and 2B have started, the East End project will hopefully be released by the State soon for design and permitting, while the Exit 90 project has begun design. Lastly, the Manager revealed he gets weekly reports on the Providence and West Marion Elementary area and they have resumed work, after pausing due to Helene.

Mr. Wooten spoke on the transitional housing project that the County is facilitating in which a force main sewer line has to be constructed. The County has received authorization from the State to proceed, whereas he presented the contract with Odom Engineering to the Board, with a request of the Board's approval.

Vice Chair Greene made a motion to accept Odom Engineering's contract, with a second by Commissioner Walker. By a vote of 5-0, the motion passed.

2027 Reappraisal

Mr. Wooten told that the work on the 2027 reappraisals has resumed after temporarily pausing due to Helene. Two reappraisal firms have been assessed, and it is to the Board's preference for selection. Based on feedback from Commissioners, he noted Pearson Reappraisal was the favored firm, and would like the to present the Board with a contract proposal at the next available meeting.

Vice Chair Greene made a motion to initiate a contract with Pearson Reappraisal, with a second by Commissioner Ellis. Commissioner Walker brought up a gentleman named Emmett Curl that requested to be the administrator in the County and asked the Board to consider him. By a vote of 5-0, the motion passed.

Administrative Items

Mr. Wooten presented the Board a Nebo water leak request in the amount of \$35.16.

Commissioner Walker made a motion to approve the water leak request, with a second by Commissioner Ellis. By a vote of 5-0, the motion passed.

Commissioner Board/Committees

Mr. Wooten asked the Board to review the Committees or Board assignments that are not currently being filled, as some are now open or are new. He noted it is the Board who assign seats, along with the opportunity for them to serve or they are assigned with citizens who volunteer. Chairman Brown recommended to table this until the next meeting, in which Mr. Wooten told he would get more details of the Committees and Boards to present in the January meeting.

Tax Matters

Mr. Wooten spoke to the Board on the releases, rebills, refunds and discoveries for the month of November.

Motor Vehicle Tax Refunds: \$1,620.02

Releases over \$100.00: \$ 0.00

Releases under \$100.00 \$263.11

Refunds: \$66,111.79

Discoveries: \$3,325.87

Commissioner Walker made a motion to approve tax matters, with a second by Vice Chair Greene. By a vote of 5-0, the motion passed.

2025 Meeting Schedule

The County Manager asked for the approval of the Board for the 2025 Board Meeting Schedule, as the second Monday of every month to be at 5:00 p.m. and the third Monday of every month at 11:30 a.m., unless it says otherwise. He noted amendments to this as January 27th for the January meeting, June 30th as the last day of the fiscal year and October 13th at 4:00 p.m. for the Carson house meeting.

Commissioner Walker made a motion to approve the 2025 Board Meeting Schedule as presented, with a second by Vice Chair Greene. By a vote of 5-0, the motion passed.

Blue Ridge Parkway Resolution

Mr. Wooten invited a consideration from the Blue Ridge Parkway Foundation requesting a Resolution for federal assistance supporting repairs and strategic implementation of the Blue Ridge Rising along the Blue Ridge Parkway.

Commissioner Walker made a motion to approve the Resolution of the Blue Ridge Parkway, with a second by Commissioner Ellis. By a vote of 5-0, the motion passed.

Citizens Comments

None

Commissioners/Staff Christmas Greetings

Chairman Brown announced at Christmas every year the Board calls upon one of the Commissioners to read the Christmas story, whereas he asked Vice Chair Greene to do the honor. Luke 2:1-14

And it came to pass in those days, that there went out a decree from Caesar Augustus that all the world should be taxed. (And this taxing was first made when Cyrenius was governor of Syria.) And all went to be taxed, every one into his own city. And Joseph also went up from Galilee, out of the city of Nazareth, into Judaea, unto the city of David, which is called Bethlehem; (because he was of the house and lineage of David:) To be taxed with Mary his espoused wife, being great with child. And so, it was, that, while they were there, the days were accomplished that she should be delivered. And she brought forth her firstborn son, and wrapped him in swaddling clothes, and laid him in a manger; because there was no room for them in the inn. And there were in the same country shepherds abiding in the field, keeping watch over their flock by night. And, lo, the angel of the Lord came upon on them, and the glory of the Lord shone round about them: and they were sore afraid. And the angel said unto them, Fear not: for behold, I bring you good tidings of great joy, which shall be to all people. For unto you this day in the city of David a Savior, which is Christ the Lord. And this shall be a sign unto you; Ye shall find the babe wrapped in swaddling clothes, lying in a manger. And suddenly there was with the angel a multitude of the heavenly host praising God, and saying, Glory to God in the highest, and on earth peace, good will toward men.

Chairman Brown spoke his Christmas Greetings by saying on my behalf of him and his family, he wishes all a very Merry Christmas and happy New Year. He proclaimed he will never

be ashamed to give appreciation to the Lord for what He has done for us. He declared Christ's birth was the beginning of the Fulfillment of Christianity which He was made pure and whole at His resurrection and so He made it complete. The Chairman thanked God for what he did for us, and prays He gives us more hope, bringing a brighter New Year than what we went through here in the past few months. Chairman Brown stated he was sure this was for us to grow deeper and stronger in our love and faith in our Lord.

Vice Chair Greene wished everyone a very Merry Christmas, from he and his family. He told there was much to be thankful for, but nothing more than that gift that God gave us to save us from our sins and to give us eternal life, which would not have been possible without that birth, that night. He told he was personally grateful for that, as God did that for him.

Commissioner Garner wished everyone a Merry Christmas from her and her family. She spoke on having a lot of small children at home who are anticipating Christmas. In December of 2020 she slowed things down for her family, to focus on everything that they had to be thankful for and with this Christmas, with the hurricane she slowed the family down again. Commissioner Garner told how she sat the kids down and really talked about what they needed to be thankful for; which was that virgin birth, Jesus coming and then giving Himself that we could accept our free gift of Salvation. She noted the county as a community had been through a lot, and she did not want it to affect Christmas but again, she did want it to affect Christmas as to really stop and think of what everyone needs to be thankful for; not all the gifts. She expressed when you have a six-year-old that's not always easy for her to understand, but her family will focus on that this year. She again wished everyone, along with her family a Merry Christmas and Happy New Year.

Commissioner Walker thanked the Lord for coming and being born and thanked Him for all His many blessings. He told how as we are coming out of Thanksgiving and moving into Christmas, we are truly blessed even though we have a lot of people who suffer loss and physical loss whereas we were very fortunate not to have a lot of human loss in McDowell County. He wished all a Merry Christmas from his family to yours and added what a blessing it is to know the real reason for the season. He thanked God for that and His many blessings. Commissioner Walker expressed to their staff and families a Merry Christmas and Happy New Year, with thanks to doing a tremendous job for McDowell County as everyone is gifted to live here in a very unique and blessed community.

Commissioner Ellis began with how it is a baby that Christmas is all about, then Easter comes and that is what saves us. He shared this is a truly amazing story, in which he hopes people know and if they don't, his wish is that they can get involved in a church or get a Bible to understand, as it is a blessing alone for the Board to be able to speak on this. He expressed many have had loss, financial loss, property loss and some family loss, with the understanding this is part of life and he believes the New Year is going to bring new life. He thanked our County and employees, agreeing with David on living in a special place, with very special people to which was an honor to for him to get voted back in as a Commissioner. He appreciates the faith that was given to him and how it is very humbling. Commissioner Ellis also added to challenge everybody to improve their faith and beliefs, and wished a Merry Christmas to all.

Mr. Wooten began with how everyone spoke on the loss we suffered especially at the end of this year, through Helene. He told of he and Mr. Kehler speaking prior to the meeting in regards to the loss that our folk's experienced, as well as the County's loss. He expressed this as a motivator to our jobs for walking with the citizens to see them through. The County Manager explained there are certain things the County is unable to do, even with government,

nonprofits and volunteers - who are doing a tremendous amount of work and gave his promise of continuation to pray for those, as he believes in hope and good things are going to happen. He told how proud he is to work in this organization with the people such as Mr. Kehler and the team he leads. He gave mention to how of our employees have been affected one way or another through these past few months with doing their regular jobs, with the addition of the work of the storm. He shared that he is proud of all of them serving and how it is our duty and our mission, and gave thanks for his opportunity to serve this Board and the people of this County. He wishes everyone a Merry Christmas and a Happy New Year.

The Clerk to the Board wished everyone peace and joy this Christmas, and shared the hope that the love of Christ would dwell in everyone's heart.

Adjournment

Commissioner Walker made a motion to adjourn, with a second by Chairman Brown. By a vote of 5-0, the motion passed.

Attest:

Sena Allison
Clerk to the Board

Tony Brown
Chairman