

**STATE OF NORTH CAROLINA
MCDOWELL COUNTY
BOARD OF COMMISSIONERS
REGULAR SESSION – March 11, 2024**

Assembly

The McDowell County Board of Commissioners met in Regular Session on Monday, March 11, 2024, at 5:00 p.m., in the Commissioner’s Board Room, 69 N Main St., Marion, NC.

Members Present

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

Members Absent

None

Others Present

Ashley Wooten, County Manager; Sena A. Allison, Clerk to the Board; and Fred Coats, County Attorney; The New Manna Basketball Teams, Shannon Odom, Tourism and Development Authority; Ronald Harmon, Planning Administrator and William Kehler, EMS Director.

Call to Order

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

Approval of Minutes

Vice Chair Brown made a motion to approve the February 12, 2024 Regular Session minutes; and the February 19, 2024 Regular Session minutes; this was seconded by Commissioner Allison. By a vote of 5-0, the motion passed.

Addition to Agenda

Chairman Walker added to the Agenda, the matter of Illegal Immigration. Mr. Walker stated he wanted to go on record as a Board regarding illegal immigration into the United States of America, and the costs that are associated within. He requested Staff look at the Resolution the Board has done in regards to this matter and to send this to the two State Senators, President, Vice President, House Member Representatives in Raleigh. Mr. Walker would like that to be added under New Business.

Commissioner Greene made a motion to approve the Resolution addition to Agenda, with a second by Commissioner Allison. By a vote of 5-0 the motion passed.

Recognition of New Manna Basketball Teams

The Board of Commissioners had the privilege of honoring The New Manna Baptist Church Wind Basketball teams in which both the Boys and Girls Basketball Teams each won the State Championship Title in their Divisions. The Board drafted a framed Resolution to present to each team, naming and distinguishing the coaches and team players. Chairman Walker welcomed the Girls team first, whereas Vice Chair Brown read the Resolution, with each Coach, Staff and Player coming in front of the board room, as he read off their perspective names and titles. At that time the Commissioners had their pictures taken with the team. The Boys were recognized next, in which Commissioner Greene read their Resolution and the same actions were done with their Coaches and players.

Commissioner Ellis made a motion to approve the Resolution Honoring the New Manna Girls Basketball Team, with a second by Commissioner Allison. By a vote of 5-0 the motion passed.

Vice Chair Brown made a motion to approve the Resolution Honoring the New Manna Boys Basketball Team, with a second by Commissioner Allison. By a vote of 5-0 the motion passed.

RESOLUTION IN HONOR OF THE NEW MANNA GIRLS BASKETBALL TEAM

WHEREAS, the McDowell County Board of Commissioners wishes to recognize the outstanding performance by the student athletes and the coaches of the New Manna Christian School Girls Basketball team during the 2023-2024 basketball season.

WHEREAS, the New Manna Christian School Girls Basketball team advanced through the North Carolina Christian School Association finishing the season with a 16-4 record.

WHEREAS, there was a Bye Playoff game

WHEREAS, the State Tournament game victory of 59-35 against Oak Level Christian (Stokesdale, NC), and the game victory of 53-46 against Scotland Christian (Laurinburg, NC), and the State Championship game with a victory of 47-42 against Calvary Christian (King, NC)

WHEREAS, it is appropriate and fitting for the McDowell County Board of Commissioners to recognize and congratulate Head Basketball Coach Curtis Styles, and Assistant Coach's Colby Davis and Daylee Styles. The Team players are: Brionna Duckworth (Sophomore), Kaylie Lowry (Sophomore), Andrea Mitchell (Junior), Kaysie Phillips (Freshman), Elvy Wiseman (Sophomore), and Lilly Byrd (Junior).

WHEREAS, individual honors go to Anistyn Styles (Freshman) All Region, Emily Randolph (Junior) All Region and Bella Schindler (Freshman) All State.

BE IT RESOLVED by the members of the McDowell County Board of Commissioners that the student athletes and coaching staff of New Manna Lady Wind are to be congratulated on winning the North Carolina Christian School Association finishing 1st seed in the 1A West.

ADOPTED this 11th day of March, 2024.

RESOLUTION IN HONOR OF THE NEW MANNA BOYS BASKETBALL TEAMS

WHEREAS, the McDowell County Board of Commissioners wishes to recognize the outstanding performance by the student athletes and the coaches of the New Manna Christian School Boys Wind Basketball team during the 2023-2024 basketball season.

WHEREAS, the New Manna Christian School Boys Basketball team advanced through the North Carolina Christian School Association, Finishing the season 2nd seed in the NCCSA 1A West, with a 16-5 record.

WHEREAS, the Playoff game victory of 63-61 against Tabernacle Christian (Monroe, NC)

WHEREAS, the State Tournament game victory of 71-44 against Calvary Christian (King, NC) and the game victory of 66-38 against Fellowship Christian (Durham, NC).

WHEREAS, the Championship Game victory of 76-44 against Scotland Christian (Laurinburg, NC).

WHEREAS, it is appropriate and fitting for the McDowell County Board of Commissioners to recognize and congratulate Head Basketball Coach Charlie Gardin; Assistant Coach's Aaron Wagner, Sam Phillips and Spencer Gardin. The Team players are: Alec Breneman (Junior), Matthew Demick (Senior), Brody Davis (Junior), Blade Baker (Junior), Tommy Honeycutt (Junior), Cannon Stamey (Senior).

WHEREAS, individual honors go to AJ Goode (Senior) All Region, and Micah Wagner (Junior) All State.

BE IT RESOLVED by the members of the McDowell County Board of Commissioners that the student athletes and coaching staff of New Manna Boys Wind are to be congratulated on winning the North Carolina Christian School Association State Championship.

ADOPTED this 11th day of March 2024.

Tourism Development Authority Update

Chairman Walker recognized Shannon Odom, Director of Tourism and Development for an update. Mr. Odom presented a slide show showing Data on the Economic Impact tourism has shown in McDowell County. He stated that \$107 million was spent in 2022, which is an increase of 6.6% from the previous year of 2021, also in 2022 State Tax Revenue generated \$3.8 million through state sales and excise taxes and taxes on personal and corporate income. Mr. Odom remarked about \$3.7 million in local taxes were generated from sales and property tax revenue from travel-generated and travel-supported businesses.

A general discussion on the events that McDowell County provides to promote tourism, such as Outdoor events, Fishing, Hunting, Trails, etc. Mr. Odom went over new projects, grants to apply for and all the platforms the TDA is using for advertising. He gave several Ad examples and brochure information for Towns and Trails.

Mr. Odom, on behalf of the TDA Board appealed to the Board of Commissioners for a request from the General Assembly, to increase the occupancy tax rate from 5% to 6%, in which all the surrounding Counties are authorized to have a 6% rate. This funding will go as two thirds spent on promotion with the remaining one third available for tourism-related capital expenditures.

Commissioner Ellis requested compilations on the percentage spent over the past few years on hotels, Airbnb's and VRBO's made by tourism. Mr. Odom cited they are connecting with a company called Air DNA to compile data to the level of activity to receive that type data. Commissioner Ellis went on to ask how the TDA collects tax dollars from people who are not involved with Airbnb's or other type lodging, in which Mr. Odom stated they only see the gross result of the funds generated and not an exact break down. Commissioner Ellis asked if the TDA's only revenue was driven by accommodation, in which Mr. Odom said yes.

Commissioner Ellis allowed that through the perspective of the Commissioners and by his opinion, tax was not a good word here in the County and he requested if Mr. Odom could bring the Board of Commissioners more information regarding the occupancy accommodations in 2022, 2021 and 2020. Commissioner Ellis asserted that he was not prepared to make the decision yet for the tax rate increase, until The Board could have more data. Mr. Odom said he could bring back the trend of the number of properties that are in the County that are marked for lodging. Commissioner Ellis asked why he made the statement to be competitive we need to increase to match the surrounding Counties and why do you think that would be a benefit., and was answered by the TDA director how he has spoken with Hotel owners in this area and they are fine with the tax increase to stay at the same level as Counties that have the 6% rate, by promoting tourism and they see the competitive nature that the other Counties have for marketing and infrastructure projects.

Commissioner Greene mentioned this tax would not impact the citizens of McDowell, as much as the guests coming into the County, in which Mr. Odom concurred saying that was correct, the tax isn't paid by locals but it would be paid by visitors which the TDA is working towards getting to come into the County. Chairman Walker said the locals do get the benefit of the tourist coming in, to which Mr. Odom commented that the businesses do gain on and the locals as well with enjoying what the County provides for them through the tax funding.

Commissioner Ellis ended with asking for the data to be brought to staff within the next 30 days to review and Mr. Odom agreed to do this.

Commissioner made a motion to table the Occupancy Tax increase, with a second by Commissioner Greene. By a vote of 5-0, the motion passed.

Telecommunications Tower Ordinance Hearing

Chairman Walker recognized Ronald Harmon, the Planning Administrator on recommendations of his department to drop the tower height from 199 feet to 179 feet due to the Spectrum Act, which allows for a one time 10% overall tower increase or 20 feet, whichever is more. The goal of the ordinance is to keep lighting off the towers, so when the Spectrum Act is utilized they will be able to keep the towers below 200 feet. The Planning Administrator said there has to be a Public hearing to change that ordinance. Chairman Walker declared the Board into a Public hearing setting and would hear any comment of the proposed Cell Tower

Ordinance and asked if anyone present would like to speak in regards to this. No one spoke that was attending the meeting.

Vice Chair motioned to come out of public hearing setting, second by Commissioner Allison. By a vote of 5-0, the motion was passed.

The County Manager, Ashley Wooten stated this has been duly advertised and the Board is allowed to make the recommended change.

Commissioner Greene motioned to make the change in the tower height, with a second by Commissioner Allison. By a vote of 5-0, the motion passed.

Mr. Harmon went to the next item of a Letter of Credit given by the developer of the Reserves at Barefoot Landing, which is an RV park with lots that will be sold and or leased. This Letter of Credit is to cover the cost of installation of the roads and by the Subdivision Ordinance the contents of the letter must be approved by the County Attorney and the Board of County Commissioners. A general discussion on the developer was had at that time.

Commissioner Greene motioned to approve the Line of Credit, second by Chris Allison. By a vote of 5-0, the motion passed.

Mr. Harmon conveyed the next item was on the topic of the Commissioners previously asked question, to the Planning Board of whether new subdivisions should be required to have paved roads. Mr. Harmon declared the Planning Board does not think this should be a requirement. A general discussion to the reasonings was had as to how their Board came to this conclusion.

Commissioner Ellis motioned for no change on the requirement of paving subdivisions, second by Commissioner Greene. By a vote of 5-0, the motion passed.

EMS Cardiac Program Update

Chairman Walker recognized William Kehler, the EMS Director for a briefing on the Cardiac Program. Mr. Kehler introduced several of his team members to the Board. He spoke on the frequent circumstances of cardiac arrest and the importance of the chain of survival that his staff has accomplished. The EMS Director then turned over to the Deputy Director, Adrienne Jones, who shared a presentation highlighting AED's, 911 dispatch, bystander CPR, repeat survivors, and community education on CPR. The Deputy Director ended the presentation with the focus of 2024 being on AED education, CPR and 911 responses. At that time Mr. Kehler spoke again on the importance of resuscitation, and his appreciation to the Fire Department and Law Enforcement on their continued efforts of support. Vice Chair Brown honored God, and then to the response of the EMS when he needed them. Chairman Walker gave a testimony on his father in law and the response of the Fire Department. Commissioner Ellis gave thanks to 911 for getting businesses and churches education on CPR. Commissioner Allison commented high praises and thanks for all they do for the citizens. Commissioner Greene spoke on the effort and team work between all the departments.

Old Business

Broadband Update

Ashley Wooten, County Manager gave updates on the bid for The Completing Access to Broadband (CAB) grant program in which he gets emails weekly, the State is doing the advertisements on this project and is putting a map out on unserved areas in the County to prequalified companies that are able to bid on this work. This would be companies that can provide to the most addresses under budget and have a reputation. The County Manager said hopefully this will be out and will have more information by the next month. He cited \$900,000.00 is left in the initial allocation the Board made for Broadband.

Building Projects

Mr. Wooten began with an update DSS Building in which Little Architecture has prepared preliminary plans that will help with the pursuit of funding. They are revising the plan to incorporate staff feedback. The goal is to get this and advocate to the State General Assembly for assistance to that facility and will pass along updates as they are received.

The County Manager moved to updates with the Transfer Station repairs on the structure at the top of the hill in which there has been an engineered plan for a year or more, and has gone through multiple reviews at the State level. He is hoping to meet next week in a possible final meeting before it goes out to bid. Mr. Wooten went on to say there are several repairs being worked on at this time with drainage and scales to help with the flow of traffic.

Mr. Wooten stated on the Recreation Center project, there was only two bidders and has postponed the opening to be on Thursday, March 14, 2024.

Mr. Wooten moved to the Animal Shelter, in which there is a location on 226 South. There were several environmental studies that had to be done, with the last one finishing last week, with the report to be given any day.

Water System Projects

Mr. Wooten gave updates on the work with Nebo, in which the line on 126 is mostly complete and a finished line on Lonesome Pine Drive. He suggested a ceremonial ground breaking to happen on Brentwood Drive. He moved to a bid open for Hoppy Tom Hollow in which there is a State grant, and a Resolution was drafted outline the bid tabulation with an acceptance of the lowest bid going to Carolina Specialties Construction, LLC for \$746,098.00. Mr. Wooten asked that bid be accepted.

Vice Chair Brown made a motion for the acceptance of the bid, second by Commissioner Allison. By a vote of 5-0, the motion passed.

RESOLUTION OF TENTATIVE AWARD

WHEREAS, McDowell County, North Carolina has received bids, pursuant to duly advertisement notice therefore, for construction of the **Hoppy Tom Hollow Road Water Line Extension**, and

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

WHEREAS, Carolina Specialties Construction, LLC was the lowest bidder for the **Hoppy Tom Hollow Road Water Line Extension** construction contract, in the total bid amount of **\$746,098.00**, and

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

NOW, THERE FORE, BE IT RESOLVED that TENTATIVE AWARD is made to the lowest bidder, Carolina Specialties Construction, LLC in the Total Bid Amount of **\$746,098.00**.

Name of Contractor	Amount
1. Carolina Specialties Construction, LLC	\$746,098.00
2. Hyatt Pipeline, LLC	\$778,481.70
3. T.P. Howard's Plumbing Co., Inc	\$820,475.00
4. Huntley Construction Company	\$883,646.00
5. Buckeye Bridge, LLC	\$1,015,304.00
6. Kemp Sigmon Construction Company, Inc.	\$1,369,750.00

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 Brown, seconded by Commissioner Allison, the above **RESOLUTION** was unanimously adopted.

This is 11th day of March 2024.

New Business

Marion Fire Department Request

The County Manager passed along to the Board of Commissioners, a formal request from City Council to have a joint meeting within the next month to discuss the funding of the Marion Fire Department. Mr. Wooten interjected the County is responsible for 50% of the operating costs of the Department.

Animal Control Proposal

Mr. Wooten brought a proposal from Sheriff Buchanan for the position of enforcing animal control ordinances to be moved from the Sheriff's office to another department. Mr. Wooten stated after going over options, the staff's recommendation is to have this position and function to be moved to the Animal Services Department. He acknowledged to the Board, if they are agreeable the hiring for staff will take place immediately and the staffing cost is proposed to be covered by new revenue received from a contract that was renegotiated for jail revenue by the federal government.

Commissioner Ellis made a motion to accept the transfer and staff hiring, second by Commissioner Allison. By a vote of 5-0, the motion passed.

Budget Update

Mr. Wooten stated that the property tax report shows a 97.40% collection rate through the end of February, which is up from the last February 2023 number. He said the 2025 budget process has begun and the meetings with the departments and agencies will begin in the next few weeks.

Commissioner Ellis proposed regarding the upcoming budget for July 1 concerning the nonprofits to see where the money was spent last year and where the money plans to be spent this year, along with a review from their Board on the individual who is in charge, sole work performance.

Commissioner Ellis made a motion on his proposal, second by Commissioner Greene. By a vote of 5-0, the motion passed.

Administrative Items

Mr. Wooten moved to EMS write offs in the amount of \$40,076.74, and a FEMA AFG grant match for replacement of the aging equipment such as cardiac monitors/defibrillators along with the purchase of a new Lucas CPR compression device. The AFG guidelines require a 10% local match. He revealed this grant has been applied for several times and the amount needed is \$795,000, with a 10% local match of \$79,500. Mr. Wooten asked the Board for the approval, before submitting.

Commissioner Greene motioned to approve the grant proposal, second by Commissioner Allison. By a vote of 5-0, the motion passed.

Board Appointments

Mr. Wooten provided the Board with two applicants that applied for Boards/Committees, one for the Transportation Advisory Board and the other for the Tourism Development Authority.

Commissioner Ellis made a motion to accept the applicant to the Transportation Advisory Board, second by Commissioner Greene. By a vote of 5-0, the motion passed.

Commissioner Greene made a motion to accept the applicant to the Tourism Development Authority, second by Commissioner Ellis. By a vote of 5-0, the motion passed.

Tax Matters

Mr. Wooten addressed the releases, refunds and rebills of tax accessing and tax collections.

Motor Vehicle Tax Refunds:	\$884.16
Releases Over \$100:	\$1,169.60
Releases Under \$100:	\$50.11
Refunds:	\$2,812.00
Discoveries:	\$0.00

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

Vice Chair Brown added an item for the next Agenda for concerns of roadside trash in the County and to have a discussion concerning having persons be liable that are throwing trash out and would like to recommend to the County to work along the side of the Sheriff's department to purchase cameras to be set up in the areas with the largest issues. Commissioner Ellis added for the cameras to be mobile and to include trash blowing out of persons vehicles to be liable as well.

Vice Chair Brown made a motion to further discuss the liability of trash violators, second by Commissioner Ellis. By a vote of 5-0, the motion passed.

Chairman Walker added with earlier item he suggested on Illegal Immigration with a Resolution stating that the Board expects the boarder to be closed and funding to be cut to illegals. He is requesting that be brought in next month. Commissioner Ellis admonished that a discussion on Medicaid and life-threatening accidents going to illegals paid 100% by our tax dollars, in which he would like see that money going to our mental health, homeless and veterans' issues before going to illegal aliens.

Commissioner Ellis made a motion that staff works on the Resolution, second by Vice Chair Brown. By a vote of 5-0, the motion passed.

Citizen Comment

Rickey Styles spoke on Land Owner Taxes and Craig Sink spoke on Roadside Trash.

Commissioner Ellis proposed to the Board concerning the Trash Convenience Centers having business vehicles unloading at the various locations and is calling for a vote when it is budget time, that tax payers of McDowell County to receive a sticker to be placed on vehicles for the attendant to see or deny the persons in unloading at the centers. A general discussion on how to resolve the matter was had and further to be said on the matter.

Adjournment

Vice Chair Brown made a motion to adjourn, second by Commissioner Ellis. By a vote of 5-0, the motion passed to adjourn at 6:44 p.m.