

The Madison County Board of Commissioners met in regular session on Tuesday, October 13, 2015 at 7:00 p.m. at the Madison Campus of A-B Tech, Marshall, NC.

In attendance were Chairman Wayne Brigman, Vice-Chairman Clayton Rice, Commissioner Bill Briggs, Commissioner Norris Gentry, Commissioner Matt Wechtel, County Manager Forrest Gilliam, Attorney Donny Laws, and Clerk Darlyne Rhinehart.

The meeting was called to order at 7:00 p.m. by Chairman Brigman.

I.

Upon motion from Commissioner Gentry, seconded by Commissioner Rice, the Board voted unanimously to approve the agenda as presented with the following changes:

Move #5 – Lori Ray – Personnel (Part-time Clerk) to closed session.

Move #7 – Gordon Randolph – Agreement with Town of Mars Hill to 9. B.

Add 14-A – Clayton Rice – County Ordinances and County Lease Updates

II.

Upon motion from Commissioner Wechtel, seconded by Commissioner Rice, the Board voted unanimously to approve the minutes of the September 8, 2015 special and regular meetings with corrections showing Commissioner Bill Briggs as absent.

Upon motion from Commissioner Wechtel, seconded by Commissioner Gentry, the Board voted unanimously to approve the minutes of the September 22, 2015 special meeting.

III.

Tammy Cody, Deputy Health Director and Heather Sharp, Public Health Promotions Coordinator, appeared before the Board to present a department update.

IV.

Upon motion from Commissioner Gentry, seconded by Commissioner Rice, the Board voted unanimously to table action on an amendment to the Securus Technologies Master Agreement with the Madison County Sheriff's Department for further review by Attorney Laws and the Sheriff's Department.

V.

John Ottinger, District Conservationists with the Natural Resources Conservation Service appeared before the Board to explain a grant that had been secured by Clifton Metcalf, and adjacent

property owner to the County's Greater Ivy Community Center property. The creek has been eroding the County's property and that of the adjacent landowners for a number of years. There was an attempt several years ago to re-route the creek but subsequent flooding changed the route again. This project would route the creek along its natural path and should solve future erosion problems.

County Manager Forrest Gilliam informed the Board that this project would be good for the County's property.

Upon motion from Commissioner Gentry, seconded by Commissioner Rice, the Board voted unanimously to adopt a resolution to enter into a lease for this project pending legal action by Attorney Laws.

VI.

Upon recommendation from Regina Sams, Community Services Director, and upon motion from Commissioner Wechtel, seconded by Commissioner Gentry, the Board voted unanimously to approve the FY2016 Rural Operating Assistance Program (ROAP) grant in the amount of \$104,866.00. ROAP is a state-funded public transportation grant administered by the NC Department of Transportation – Public Transportation Division.

VII.

Upon recommendation from Ryan Cody, Director of Inspections and Zoning, and upon motion from Commissioner Wechtel, seconded by Commissioner Gentry, the Board voted unanimously to appoint the following persons to the Economic Development Board:

- Max Lennon 3 year term
- Joe Walker 2 year term
- Connie Molland 2 year term
- Justin Silver 1 year term
- Tammy Whitlock 3 year term
- Jonathan Szucs 2 year term
- Mitch Hampton 3 year term
- Debbie Nikla 1 year term

Upon recommendation from Mr. Cody, and upon motion from Commissioner Rice, seconded by Commissioner Gentry, the Board voted unanimously to enter into an Agreement between the County and the Town of Mars Hill for flood damage prevention administration and enforcement within the Town.

VIII.

Jim Huff, Solid Waste Director, appeared before the Board to discuss the changes in the recycling of electronics in the County. Electronics Recycling International (ERI), the company that the County sends electronics to is going to begin charging the County for this material on a per pound basis. At the present time electronics are no longer being accepted at the convenience centers.

Upon motion from Commissioner Rice, seconded by Commissioner Gentry, the Board voted unanimously to table this item to a work session meeting.

Upon motion from Commissioner Briggs, seconded by Chairman Brigman, the Board voted unanimously to table action on additional hours of operation (Saturday) to a work session meeting.

IX.

Upon motion from Commissioner Rice, seconded by Commissioner Gentry, the Board voted 4 to 1 to approve a resolution presented by Chairman Brigman requesting that the NC Department of Transportation cease the use of liquid materials for snow removal on the roads of Madison County. Voting in the affirmative were Chairman Brigman, Commissioner Rice, Commissioner Gentry and Commissioner Briggs. Voting in the negative was Commissioner Wechtel.

X.

County Manager Forrest Gilliam updated the Board on the additional revenue that the County would receive as a result of the General Assembly's decision to allocate additional sales tax revenue at the state level to rural counties that would have gained under the proposed restructuring of the local sales tax distribution formula. Madison County is expected to receive \$746,000 in Fiscal Year 2016-2017. The money must be used for the purposes of economic development and education.

Mr. Gilliam reported that administrative changes to the Fair Labor Standards Act set to go into place at the beginning of 2016 will make all employees who earn less than \$50,440 per year subject to the overtime requirements of the act. The current cutoff is \$23,660. The change will require a number of supervisors and department heads who work for the county and make less than the \$50,440 to be mindful of their overtime. The county manager will work with department heads in advance of the rules going into effect to minimize the need for overtime and compensatory time.

The county manager updated the board regarding the county's submissions to the Golden LEAF Foundation's Community Grantsmaking Initiative. Each county was invited to sign off on three pre-applications totaling no more than \$1.5 million. The submissions from Madison County would fund projects for the Town of Mars Hill, Madison County Public Schools, and Mars Hill University. Golden LEAF staff and board members will review pre-applications and potentially invite one or more projects to submit a full application, with a final funding decision in April of 2016.

An ad hoc committee of department heads has been meeting since August to recommend a revised Personnel Policy. A draft policy will be presented to the Board for approval in November or December after department heads have had a chance to provide feedback on the first draft. The revised policy will include language addressing the use of social media by county employees.

Mr. Gilliam reported to the Board that the Parks and Recreation Office had re-located from the Administration Building to Community Services on Long Branch Road, that the website for the Board of Commissioners page has been revised to make archived meeting minutes and videos more accessible, that a complete list of Commissioner-appointed boards and committees and descriptions has been developed and placed on the website, and that interviews will be held for the new Veterans Services Officer position in the near future.

Mr. Gilliam reported that engineers assessed the basement structural work at the courthouse and will be providing their plans to the county so that bids can be solicited from licensed contractors for the structural work. The Maintenance Department is seeking bids from electrical contractors who can complete the electrical work in the former finance offices. It is estimated that the structural work, work on the three rooms that were gutted last fall, and remaining roof work that was not completed prior to last winter will cost around \$29,000. The county manager advised that the slowest part of the process will be getting the necessary bids from licensed contractors before work can begin.

XI.

The Board received the Financial Report for the month of September, 2015.

Upon motion from Commissioner Gentry, seconded by Commissioner Rice, the Board voted unanimously to approve Budget Amendment #02.

Upon motion from Commissioner Gentry, seconded by Commissioner Rice, the Board voted unanimously to approve the Property Tax Releases/Refunds for the month of September, 2015.

Chairman Brigman opened the floor for nominations to the Mountain Area Workforce Board. Commissioner Gentry nominated Dr. Dan Lunsford. Chairman Brigman closed the nominations. Dr. Dan Lunsford was appointed to the Board by unanimous vote.

Chairman Brigman opened the floor for nominations to the Nursing Adult Care Home Board. There were no nominations.

XII.

Dyatt Smathers, Board of Elections Chair, appeared before the Board during public comment to discuss the 2016 elections. Towns must request early voting in municipal elections and must pay for the cost of the early voting. Town elections will be held on November 03, 2015. Filing begins December 1st and ends at noon on December 21st. Primary will be held March 15, 2016.

Mr. Smathers stated that early voting and one stops remain a problem. Previously there have been five early voting/one stop locations.

Gerald Tomberlin, Tomberlin Insurance, appeared before the Board to update them on the state of the County's health insurance.

XIII.

Commissioner Rice discussed the County's current ordinances as to whether they were current or possibly needed updates.

Attorney Laws informed the Board that the County leases were a continuous process.

XIV.

Upon motion from Commissioner Gentry, seconded by Commissioner Wechtel, the Board voted unanimously to enter in closed session permitted by General Statute 143-318.11 for personnel and attorney client privilege matters.

XV.

Upon motion from Commissioner Rice, seconded by Commissioner Gentry, the Board voted unanimously to return to open session.

XVI.

Upon motion from Commissioner Gentry, seconded by Commissioner Rice, the Board voted 4 to 1 to employ Jane McConnell as part-time tax clerk in the Tax Collector's Office. Voting in the affirmative were Chairman Brigman, Commissioner Rice, Commissioner Gentry, and Commissioner Wechtel. Voting in the negative was Commissioner Briggs.

Upon motion from Commissioner Rice, seconded by Commissioner Gentry, the Board voted unanimously to move James Norton from part-time center attendant to full time and move him to the Landfill to fill a vacancy created by the retirement of a full time employee.

Upon motion from Commissioner Gentry, seconded by Commissioner Rice, the Board voted unanimously to adjourn at 11:00 p.m.

This the 13th day of October, 2015.

MADISON COUNTY

By: 
Wayne Brigman, Chairman
Board of Elections

ATTEST:


Darlyne Rhinehart, Clerk

State of North Carolina

Minutes

County of Madison

The Madison County Board of Commissioners met in special session on Monday, November 2nd, 2015 at 4:00 p.m. in the Conference Room, Madison County Finance Office, 107 Elizabeth Lane, Marshall, NC.

In attendance were Chairman Wayne Brigman, Vice-Chairman Clayton Rice, Commissioner Bill Briggs, Commissioner Norris Gentry, Commissioner Matt Wechtel, County Manager Forrest Gilliam, and Attorney Donny Laws.

The meeting was called to order at 4:00 p.m.

The Board heard from Jim Huff, Landfill Director, regarding ways to cover the increased cost of electronics recycling due to changes in the market and pending legislation at the state level that could eliminate subsidies for the program. The Board reviewed and discussed various scenarios for recouping costs and the method by which electronics will be accepted by Madison County Solid Waste in the future.

Upon motion from Commissioner Gentry, seconded by Commissioner Rice, the Board voted unanimously to implement a charge of \$15.00 per television or monitor and a charge of \$5.00 for all fax machines and printers received at the Landfill, effective December 14, 2015, contingent upon the review and advice of legal counsel.

The Board discussed whether it would be wise and cost effective to open the Landfill every Saturday of the month. There was discussion about whether the additional days are needed, operational considerations, and cost scenarios.

Upon motion from Commissioner Gentry, seconded by Commissioner Rice, the Board voted 3 to 2 to approve opening the Landfill each Saturday from 8:00 am to 12:00 noon beginning March 01, 2016 through June 30, 2016 for a trial period to determine the feasibility and need for the Saturday openings, with a total of three employees staffing the Landfill on Saturdays during the trial period. Voting in the affirmative were Chairman Brigman, Commissioner Rice, and Commissioner Gentry. Voting in the negative were Commissioner Briggs and Commissioner Wechtel.

Upon motion from Commissioner Rice, seconded by Commissioner Wechtel, the Board voted unanimously to enter into closed session pursuant to G.S. 143-318.11(a)(3) for the purpose of discussing matters pertaining to attorney-client privilege.

Upon motion from Commissioner Rice, seconded by Commissioner Gentry, the Board voted unanimously to return to open session.

Upon motion from Commissioner Gentry, seconded by Commissioner Briggs, the Board voted unanimously to adjourn at 7:30 p.m.

This the 2nd day of November, 2015.

MADISON COUNTY

By: 
Wayne Brigman, Chairman

ATTEST:


Darlyne Rhinehart, Clerk