

The Madison County Board of Commissioners met in regular session on Tuesday, January 13, 2015 at 7:00 p.m. in the Courtroom, Madison County Courthouse, Marshall, NC.

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

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

I.

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

9. e. Board of Health – Interim Director

II.

Upon motion from Commissioner Rice, seconded by Commissioner Gentry, the Board voted unanimously to approve the minutes of the December 09, 2014 meeting with the following corrections:

Item III. Paragraph 8. To read as – Commissioner Baker stated that he would be voting against the motion because it had been previously announced that a public hearing would be held.

Item III. Paragraph 9. To read as – Said motion passed on a 4 to 1 vote. Voting in the affirmative were Commissioner Rice, Commissioner Gentry, Chairman Brigman and Commissioner Briggs. Voting in the negative was Commissioner Baker.

III.

Darlyne Rhinehart, Finance Officer, along with Mr. Chuck Killian, CPA presented the 2014 Annual Financial Statement.

IV.

Upon motion from Commissioner Gentry, seconded by Commissioner Baker, the Board voted unanimously to approve the Maximus Professional Consulting Agreement as presented by Connie Harris, Social Services Director.

V.

Jan Shepard, Health Director, appeared before the Board in her capacity as Chair of the Economic Development Partnership (EDP) Advisory Board to present recommendations from the Board after an evaluation of the successes and shortcomings of the current organizational structure.

VI.

Dr. Ron Wilcox, Superintendent of Schools, appeared before the Board requesting that \$274,650.00 in 40/42 funds be set aside for the 2014-15 Building Program. These funds would be used for architect fees.

The Board agreed that the County Manager, County Attorney and Superintendent would meet to discuss the management of the building program.

VII.

Upon motion from Commissioner Rice, seconded by Commissioner Gentry, the Board voted unanimously to approve the E-Rate cost analysis for the fiscal 2015-2016 as presented by Melanie Morgan, Library Director.

Upon motion from Commissioner Gentry, seconded by Commissioner Rice, the Board voted unanimously to approve the Fiber Optic Cable Lease Agreement between the Madison County Library and French Broad EMC.

Upon motion from Commissioner Rice, seconded by Commissioner Gentry, the Board voted unanimously to approve the Business Internet Access, Video and Music Service Agreement between the Madison County Library and Charter Communications, LLC.

Upon motion from Commissioner Rice, seconded by Commissioner Gentry, the Board voted unanimously to approve the Agreement between the Madison County Library and United Way of Madison County to receive funds contributed to the Library through United Way.

VIII.

Jennifer Massey, Madison EMS Director, Susan Odom, Director Emergency Services at Mission Health Systems, Inc., and John Matthews, Cooper Construction Company appeared before the Board to present a proposal that would provide for a new building being constructed below the new jail on Medical Park Drive. This site was graded at the time the jail was constructed for this purpose.

No action was taken.

IX.

Upon recommendation from Jan Shepard, Health Director, and upon motion from Commissioner Gentry, seconded by Commissioner Rice, the Board voted unanimously to approve Morgan Huntsinger, RN for a vacant Public Health Nurse I position.

Upon motion from Commissioner Rice, seconded by Commissioner Gentry, the Board voted unanimously to approve a Memorandum of Understanding between the Health Department and RHA Behavioral Health Services. This provides behavioral health services for the school based health program in lieu of a county supported position.

Upon motion from Commissioner Rice, seconded by Commissioner Gentry, the Board voted unanimously to approve the NC TeleHealth Network Subscription Agreement between the Public Health Authority of Cabarrus County and Madison County Health Department. This is a continuation of a pilot program the Health Department entered into three years ago. It greatly reduces the expenses associated with internet access for health related technology needs.

Upon motion from Commissioner Gentry, seconded by Commissioner Rice, the Board voted 4 to 1 to approve payment to Bottom Line Technology Services in the amount of \$2,809.91 for preliminary work with the Positive Parenting Program. Voting in the affirmative were Chairman Brigman, Commissioner Briggs, Commissioner Gentry and Commissioner Rice. Voting in the negative was Commissioner Baker.

Upon recommendation from the Board of Health, and upon motion from Commissioner Baker, seconded by Commissioner Gentry the Board voted unanimously to approve John Graeter as Interim Health Director.

X.

Commissioner Baker requested that items f and g listed under his section be held off until County Manager Gilliam's section. Commissioner Baker requested that item e be withdrawn from the agenda.

Motion from Commissioner Baker, seconded by Commissioner Briggs to remove the word "administrative" from the position titled "Administrative Assistant to the Manager for Governmental Relations" and to abolish this position failed on a vote of 2 to 3. Voting in the affirmative were Commissioner Baker and Commissioner Briggs. Voting in the negative were Chairman Brigman, Commissioner Gentry and Commissioner Rice.

Motion from Commissioner Baker, seconded by Commissioner Briggs to divert the monies from the savings of the vacant Assistant position to the courthouse restoration failed. The County Manager informed the Board that the funds saved from the vacant position would be allocated to contingency if budget amendment #06 was approved. Motion failed on a vote of 2 to 3. Voting in the affirmative were Commissioner Baker and Commissioner Briggs. Voting in the negative were Chairman Brigman, Commissioner Gentry, and Commissioner Rice.

Commissioner Baker motioned that the Board conduct meetings in accordance with the established rules of parliamentary procedure. Motion was seconded by Commissioner Briggs. Attorney Laws advised the Board of the publication entitled "Suggested Rules of Procedure for Small Local Government Boards". This publication can be used as a model that then could be adapted to the local setting. Commissioner Baker amended his motion to include Attorney Laws suggestion. Motion failed on a 2 to 3 vote. Voting in the affirmative were Commissioner Baker and Commissioner Briggs. Voting in the negative were Chairman Brigman, Commissioner Gentry and Commissioner Rice.

Discussion was held regarding Commissioner Baker's inquiry concerning items of business to be conducted at Commissioner meetings versus items on the approved agenda.

XI.

Upon recommendation from Commissioner Gentry, and upon motion from Commissioner Rice, seconded by Chairman Brigman, the Board voted unanimously to establish a community committee that would study the needs of the veterans in the County and then report back to the Commissioner's in the spring. The committee shall include the following membership: Chief Officer of the American Legion, Chief Officer of the VFW, Instructor of the Madison High JROTC, NC Division of Workforce Solutions Veterans Employment Consultant and five veterans nominated by each member of the Board of Commissioners.

XII.

Upon motion from Commissioner Rice, seconded by Commissioner Gentry, the Board voted unanimously to re-appoint Coy Griffin and Deborah Moore to the Animal Control Board for a term of three years.

Upon motion from Commissioner Briggs, seconded by Commissioner Gentry, the Board voted unanimously to re-appoint Maurice McAlister, Rick Sharpe and Larry Burda as alternate to the Board of Adjustment for a term of three years.

Upon motion from Commissioner Brigman, seconded by Commissioner Baker, the Board voted unanimously to table nomination for the Professional Engineer position with the Board of Health.

Chairman Brigman opened the floor for nominations for the citizen positions with the Board of Health. Commissioner Briggs nominated Andrew Thomas. Commissioner Gentry nominated Debbie Ponder. Chairman Brigman closed the nominations. Commissioner Briggs and Commissioner Baker voted for Andrew Thomas. Chairman Brigman, Commissioner Gentry and Commissioner Rice voted for Debbie Ponder. Debbie Ponder will serve a three year term.

Chairman Brigman opened the floor for nominations for the second citizen position with the Board of Health. Commissioner Briggs nominated Andrew Thomas. Commissioner Brigman nominated Loretta Leake. Chairman Brigman closed the nominations. Commissioner Briggs and Commissioner Baker voted for Andrew Thomas. Chairman Brigman, Commissioner Gentry and Commissioner Rice voted for Loretta Leake. Loretta Leake will serve a three year term.

Upon motion from Commissioner Baker, seconded by Commissioner Gentry, the Board voted unanimously to re-appoint Steve Garrison to the Planning Board for a three year term.

Chairman Brigman opened the floor for nominations to the Planning Board for the position previously held by Ronnie Payne. Commissioner Gentry nominated Jarred Silver. Chairman Brigman closed the nominations. Upon motion from Commissioner Brigman, seconded by Commissioner Rice, the Board voted unanimously to appoint Jarred Silver to the Planning Board for a three year term.

Chairman Brigman opened the floor for nominations to the Planning Board for the position previously held by Jason Worley. Commissioner Rice nominated Daniel Rice. Chairman Brigman closed

the nominations. Mr. Rice was approved by the full board to serve on the Planning Board for a term of two years.

Chairman Brigman opened the floor for nominations to the Housing Authority Board for the position previously held by Mike Ledford. Commissioner Briggs nominated Dennis McMahan. Chairman Brigman closed the nominations. Upon motion from Commissioner Briggs, seconded by Commissioner Gentry, the Board voted unanimously to approve Mr. McMahan to serve on the Housing Authority Board for a term of five years.

Commissioner Baker advised the Board that he would no longer be able serve on the Nursing Adult Care Advisory Council. Upon motion from Chairman Brigman, seconded by Commissioner Rice the Board voted unanimously to table action replacing Commissioner Baker on this Board.

Chairman Brigman opened the floor for nominations to the Nursing Adult Care Advisory Council. Chairman Brigman nominated Sue Vilcinskis. Chairman Brigman closed the nominations. Mrs. Vilcinskis was approved by the full board to serve on the Nursing Adult Care Advisory Council for a term of three years.

County Manager Forrest Gilliam advised the Board that Dr. Grainger Caudle was will to serve on the Parks and Recreation Board as the Mars Hill University representative replacing Bob Wood. Dr. Caudle was approved by the full board to serve on the Parks and Recreation Board for a term of three years.

Upon nomination from Commissioner Gentry, seconded by Commissioner Baker, the full Board voted to re-appoint Jan Franklin, Ryan Cody, and Gene Rogers to the Parks and Recreation Board for a term of three years.

Chairman Brigman opened the floor for nominations to the Parks and Recreation Board for the position previously held by Susan Goforth. Chairman Brigman nominated Lisa Gosnell. Chairman Brigman closed the nominations. Lisa Gosnell was approved by the full board to the Parks and Recreation Board for a term of three years.

Chairman Brigman opened the floor for nominations to the Watershed Review Board. Chairman Brigman nominated Billy Anders to the position previously held by Warren Anders. Commissioner Briggs nominated Clayton Willis. Billy Anders and Clayton Wills were approved by the full board to serve on the Watershed Review Board for a term of three years.

XIII.

County Manager Forrest Gilliam brought to the Board items concerning the renovation of the courthouse. After discussion, motion was made by Commissioner Gentry to continue the delay of the project and to seek legal and professional assistance to ensure that the project be done properly. After discussion, Commissioner Gentry rescinded his motion.

Motion was made by Commissioner Gentry, seconded by Commissioner Rice to continue the delay and to set up a work session to further discuss the courthouse renovation project. Said motion was approved on a 3 to 2 vote. Voting in the affirmative were Chairman Brigman, Commissioner Gentry and Commissioner Rice. Voting in the negative were Commissioner Baker and Commissioner Briggs.

Upon motion from Chairman Brigman, seconded by Commissioner Gentry, the Board voted unanimously to table action on the HOME Grant Contract to the February meeting.

Mr. Gilliam updated the Board on the following: Mars Hill Rock Building, Island Gym, Time Clock, and Emergency Management Office and the idea of conducting work sessions.

Attorney Laws advised the Board that they could not re-schedule the regular meetings of the Board and that the meetings must be held at the courthouse.

XIV.

The Board received the December, 2014 Financial Report.

Upon motion from Commissioner Gentry, seconded by Commissioner Rice, the Board voted unanimously to ratify the Services Agreement (60 days) with Allen Lamberson.

Upon motion from Commissioner Gentry, seconded by Commissioner Rice, the Board voted unanimously to approve Budget Amendment #06.

Upon motion from Commissioner Gentry, seconded by Commissioner Rice, the Board voted unanimously to approve the Property/Vehicle Releases and Tax Refunds for December, 2014.

XV.

During public comment the Board heard from Cindie Harman regarding issues with the Noise Ordinance adopted in July, 2003.

Pete Orthmann questioned the limit on time for those persons wishing to speak during public comment. Mr. Orthmann stated that his legal rights had been violated and asked the Chairman to step down.

XVI.

Upon motion from Chairman Brigman, seconded by Commissioner Gentry, the Board voted unanimously to enter into closed section for the purpose of discussing personnel matters as allowed by G. S. 143-318.11(a)(6).

XVII.

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

XVIII.

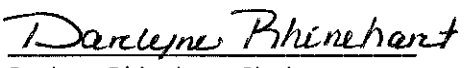
Upon motion from Commissioner Rice, seconded by Commissioner Gentry, the Board voted unanimously to adjourn at 11:29 p.m.

This the 13th day of January, 2015.

MADISON COUNTY

By: 
Wayne Brigman, Chairman
Board of County Commissioners

ATTEST:


Darlyne Rhinehart, Clerk