

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.

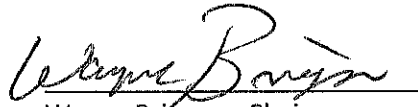
Upon motion from Commissioner Gentry, seconded by Commissioner Rice, the Board voted 4 to 1 to employ Jane McConnell as part-time tax clerk in the Tax Collector's Office. Voting in the affirmative were Chairman Brigman, Commissioner Rice, Commissioner Gentry, and Commissioner Wechtel. Voting in the negative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

September 2015 Property Reassesses for October 2015 Meeting

NAME	County	Fire	Disposal fee	Late list fee's	Int	TOTALS	REASON
Allen, Charles	\$443.77	\$85.34	\$131.00			\$660.11	granted elderly exemption
Arrington, Cecil	\$250.25	\$43.31	\$131.00			\$424.56	granted elderly exemption
Arrington, Zaderick			\$160.00			\$160.00	per solid waste- charged for a extra card even though we tax hse & mh
Ballard, James	\$177.71	\$30.76	\$131.00			\$339.47	granted elderly exemption
Ballard, Joan	\$130.00	\$22.50	\$131.00			\$283.50	granted elderly exemption
Banks, Sarah	\$52.00	\$9.00		\$6.10		\$67.10	this was a DOT listing owner states MH was always in Buncombe
Bogin, Connie			\$160.00			\$160.00	hse burnt down per solid waste
Bowens, Eddie			\$160.00			\$160.00	per solid waste- no power or water
Bradley, David			\$160.00			\$160.00	per solid waste no power and sewer is damaged
Branch, Yvonne			\$160.00			\$160.00	per solid waste- older home condemned
Brown, Paul			\$160.00			\$160.00	per solid waste- no water
Buckner, Donna	\$157.09	\$24.17				\$181.26	SVMH belongs to son who lives in Arden
Buckner, Timothy			\$160.00			\$160.00	per solid waste- older mhno sewer or power
Caldwell, David			\$207.00			\$207.00	solid waste released permanently last year
Cam's Family Thrift	\$26.00	\$4.00		\$3.00		\$33.00	business closed down August 2014
Cam's Knife	\$23.19	\$3.57		\$2.68		\$29.44	reevaluated business property they provided asset list
Cantrell, Verna	\$297.51	\$17.16	\$160.00			\$474.67	released original bill came in and applied for exemption
Carlisle, Michael			\$160.00			\$160.00	per solid waste- no water
Cato, Edgar	\$5.20	\$0.60		\$0.58		\$6.38	no longer owned mobile home
Chandler, John			\$160.00			\$160.00	per solid waste- no power
Chandler, Johnny			\$160.00			\$160.00	per solid waste- no water
Chandler, Linda			\$160.00			\$160.00	per solid waste- no power and house for sale
Chandler, Troy	\$41.60			\$4.16		\$45.76	located in Newton NC
Clodfelter, Mike	\$26.00	\$4.50		\$3.05		\$33.55	MH moved to Buncombe County
Cody, Claude			\$160.00			\$160.00	per solid waste- older bldg no water or sewer
Cogdill, Ellen	\$218.40	\$8.40	\$131.00			\$357.80	taxpayer was double taxed on mh since 2009 also granted exemption
Collins, Troy	\$10.40					\$10.40	not farming removed equipment for 2015
Coomer, Lisa	\$26.00	\$4.50		\$3.05		\$33.55	listed on DMV report but taxpayer said its located in Hendersonvil
Cutshall, Lawrence			\$160.00			\$160.00	per solid waste- no water
Cutshall, Linda	\$69.01	\$3.98		\$7.30		\$80.29	SVMH sold to Glen Tweed
Daniell, Brenda	\$1,097.75					\$1,097.75	land use wasn't applied to bill
Davis, David			\$207.00			\$207.00	per solid waste- no sewer
Davis, Irene	\$130.00	\$25.00	\$131.00			\$286.00	granted elderly exemption
Davis, Thad			\$160.00			\$160.00	per solid waste- no power, water, or septic
Earwood, Edwin			\$160.00			\$160.00	per solid waste older house no plumbing
Ebbs Chapel VFD	\$471.18	\$81.55	\$160.00			\$712.73	made application to be exempt used for training purposes
English, J.L	\$130.00	\$22.50	\$131.00	\$3.05		\$286.55	granted elderly exemption

September 2015 Property Releases for October 2015 Meeting

Espinosa, Remigia				\$160.00			\$160.00	per solid waste- older home condemned
Foury-One Twleve				\$207.00			\$207.00	business has contract for solid waste container & pickup
Franck, Richard				\$207.00			\$207.00	per solid waste- no water
Franklin, Van	\$221.50	\$12.78					\$234.28	Forestry Plan wasn't provided for 15 acre piece by mistake
Fritsch, Paul				\$320.00			\$320.00	this is vacant land
Fuicher, Wanda	\$160.51			\$131.00			\$291.51	granted elderly exemption
Gaillard, Margaret	\$26.00	\$1.00					\$27.00	taxed under acct 280890
Garcia, Angela	\$44.95	\$7.78					\$52.73	this should have transferred to Sheila Grindstaff per 576/461
Gardner, Ruth	\$130.00	\$22.50		\$131.00			\$283.50	granted elderly exemption
Gentry, Pearl				\$160.00			\$160.00	per solid waste older mobile home
Goode, James	\$378.28	\$50.92		\$160.00			\$589.20	property should have transferred to Cathie Fitzjohn
Gosnell, Artie	\$515.68	\$99.17		\$160.00			\$774.85	split into 3 tracts per will will discover correct amounts to new owners
Gosnell, Boney	\$130.00	\$7.50					\$137.50	granted elderly exemption
Gosnell, Hazel	\$52.00	\$10.00			\$6.20		\$68.20	listed under Josh Gosnell on acct 28801
Greenhut, Martin	\$283.87	\$43.67		\$131.00			\$458.54	granted elderly exemption
Griffin, Larry	\$221.60	\$8.52					\$230.12	property transferred in July 2014 but Larry's DC wasn't provided
Gunter, Dennis				\$160.00			\$160.00	per solid waste no power
Gunter, Elmer	\$218.19	\$12.59		\$131.00			\$361.78	granted elderly exemption
Gunter, Fronia	\$229.34	\$13.23		\$131.00			\$373.57	granted elderly exemption
Hawkins, Patricia	\$262.52	\$45.44					\$307.96	removed unfinished bsmt only has crawl space
Haynie, Ron				\$160.00			\$160.00	per solid waste- trailer removed from property
Holt, Jamie	\$94.03	\$12.66					\$106.69	granted full exemption: brothers and sisters are deceased
Howell, Alice	\$34.11	\$5.90		\$131.00	\$4.00		\$175.01	granted elderly exemption
Huizar, Albert				\$160.00			\$160.00	per solid waste- no power, water, or septic
Hunter, Lujait	\$179.51	\$31.07		\$29.00			\$239.58	Lujait is deceased land & hse transferred to Kimberly Shelton
Hyder, David	\$1,247.28						\$1,247.28	2012 deferred bill released mis communication with forester
Hyder, David	\$1,247.28						\$1,247.28	2013 deferred bill released miscommunication with forester
Hyder, David	\$1,247.28						\$1,247.28	2014 deferred bill released miscommunication with forester
Hyder, David	\$1,232.22						\$1,232.22	plan provided miscommunication with forester
Jenkins, Vardon				\$160.00			\$160.00	per solid waste- no water or sewer to house
Keener, Roger	\$1,633.98	\$251.38		\$320.00			\$2,205.36	sold hse and 1.23ac released this bill & discovered on correct value
Lamb, Ronald	\$124.05	\$16.70		\$131.00	\$2.95		\$274.70	granted elderly exemption
Learn, Charles	\$130.00	\$7.50		\$131.00			\$268.50	granted elderly exemption
Ledford, Johnnie	\$130.00			\$131.00			\$261.00	granted elderly exemption
Lewis, Thomas	\$130.00	\$22.50		\$131.00			\$283.50	granted elderly exemption
Loredo, Antolin	\$26.00				\$2.60		\$28.60	sold to Serbando
Max Patch Retreat	\$19.35	\$0.74					\$20.09	new owners for 2015 and they don't rent out house
McCall, Sandra	\$292.95	\$50.70		\$131.00			\$474.65	granted elderly exemption
McMahan, James				\$160.00			\$160.00	this is vacant land
Mitchell, Matthew	\$75.40	\$13.05		\$160.00			\$248.45	this bill should have included hse released and discovered correctly

September 2015 Property Releases for October 2015 Meeting

Mitchell, Matthew	\$795.69	\$137.72				\$933.41	this bill included house and shouldn't have released & discovered
Moore, Carrie	\$202.57	\$11.69	\$131.00			\$345.26	granted elderly exemption
Moore, E. Dwayne	\$9.71	\$1.31		\$1.10		\$12.12	Mr. Moore is deceased this was personal property & everything is sold
Moore, Jerry				\$6.94		\$6.94	charged late list in error
Mountain City Lumb	\$260.00					\$260.00	listed under acct 63623
Nix, David	\$26.00		\$160.00	\$2.60		\$188.60	SWMH taxed under acct 1058 2015 bill
Nix, David	\$26.00		\$180.00	\$2.60		\$208.60	SWMH taxed under acct 1058 2014 bill
Nix, David	\$26.00		\$180.00	\$2.60		\$208.60	SWMH taxed under acct 1058 2013 bill
Nix, David	\$26.00		\$180.00	\$2.60		\$208.60	SWMH taxed under acct 1058 2012 bill
Nix, David	\$22.66		\$190.00	\$2.27		\$214.93	SWMH taxed under acct 1058 2011 bill
Nix, David	\$24.37		\$190.00	\$2.44		\$216.81	SWMH taxed under acct 1058 2010 bill
Nix, David	\$23.86		\$190.00	\$2.39		\$216.25	SWMH taxed under acct 1058 2009 bill
Pangle, Mary Ann	\$52.11	\$2.00				\$54.11	taxpayer appealed value of DWMH
Parker, Carl	\$230.19	\$39.84	\$131.00			\$401.03	granted elderly exemption
Parks, Jason	\$14.07	\$2.43				\$16.50	adjusted acreage per mapper
Penland, George			\$207.00			\$207.00	per solid waste- no business in building
Pounders, Fred			\$160.00			\$160.00	per solid waste- no power
Proffitt, Kathy	\$130.00	\$20.00	\$131.00			\$281.00	granted disabled exemption
Ramsey, Bessie			\$160.00			\$160.00	per solid waste- no water
Restore Physical	\$52.00					\$52.00	adjusted value taxpayer submitted asset list within 30 days
Rice, Alfred			\$160.00			\$160.00	MH gone vacant property
Rice, Bobby	\$130.00	\$22.50	\$131.00	\$3.05		\$286.55	granted elderly exemption
Rice, Sharon	\$37.41					\$37.41	solid mobile home to Heather Taylor
Roberts, Daniel			\$29.00			\$29.00	released this bill and discovered they longer live at residence
Robinson, Barbara	\$238.11	\$41.21	\$131.00			\$410.32	granted elderly exemption
Robinson, Weldon			\$160.00			\$160.00	per solid waste- no water
Shelton, A.J		\$28.76				\$28.76	charged for wrong fire district
Shelton, Jerry			\$160.00			\$160.00	per solid waste- no water
Shelton, Kimberly	\$322.75	\$62.07				\$384.82	this piece of property was transferred in error
Shelton, Kimberly	\$345.51	\$59.80	\$160.00			\$565.31	transferred in error Ms. Hunter is not deceased
Shelton, Linda	\$67.65	\$3.90	\$160.00	\$7.16		\$238.71	same as acct 28689 sold to Glen Tweed
Shook, Carl	\$130.00	\$22.50	\$131.00			\$283.50	granted elderly exemption
Smathers, Dwight	\$2.55					\$2.55	property was sold but wasn't deleted out of system
Smathers, Dwight	\$64.00					\$64.00	property was sold but wasn't deleted out of system
Stone, Diane			\$160.00			\$160.00	per solid waste no water power or septic
Surrett, James			\$160.00			\$160.00	per solid waste no water
Tavano, John	\$634.94	\$109.89	\$160.00			\$904.83	solid property 9/2014
Tavano, John	\$98.05	\$16.97				\$115.02	solid property 9/2014
Thomas, Emmitt			\$160.00			\$160.00	per solid waste- no power
Thomas, Hazel				\$2.60		\$2.60	charged late list in error

September 2015 Property Reassessments for October 2015 Meeting

Waddell, Christopher	\$26.00	\$1.50		\$2.75	\$30.25	doesn't own mobile home hasn't been there since they purchased
Wallin, Elisha	\$139.55		\$131.00		\$270.55	granted elderly exemption
Ward, Neal	\$26.00	\$4.50	\$291.00	\$3.05	\$324.55	mobile home charged as real estate & solid waste removed 1 disposal
Ward, Neal	\$130.00	\$22.50			\$152.50	granted elderly exemption
Watkins, John			\$160.00		\$160.00	per solid waste- no power, water, or septic
Westburg, Carl	\$182.16	\$35.03	\$131.00		\$348.19	granted elderly exemption
Wilde, Faith			\$160.00		\$160.00	should have only been charged for 2 disposal fees per property card
Wilde, Faith			\$180.00		\$180.00	should have only been charged for 2 disposal fees per property card
Williams, Lisa	\$181.29	\$34.86	\$131.00		\$347.15	granted disabled exemption
Wright, Carl	\$719.89	\$124.60	\$320.00		\$1,164.49	charged for wrong house released original bill & will discover correctly
Wright, Larry	\$41.83	\$2.41		\$4.42	\$48.66	this was a carry over-mh was sold years ago per Larry Wright
TOTALS	\$19,939.86	\$1,946.13	\$13,731.00	\$97.29	\$35,714.28	

September 2015 Refun... or October 2015 Meeting

NAME	County	City	Fire	Disposal fee	Late list fee's	Int	TOTALS	REASON
Cogdill, Ellen	\$550.45		\$20.70				\$571.15	2009-2014 refunded double taxed on mh
Davis, Don	\$187.62		\$7.22				\$194.84	granted elderly exemption
Hensley, Angela	\$1,475.96		\$64.11			\$188.49	\$1,728.56	this was a deferred bill owner requested land was being sold
Rathbone, Linda	\$74.20		\$4.28	\$180.00	\$7.85	\$4.96	\$271.29	mobile sold to Glen Tweed
Shetley, John	\$20.80		\$2.80		\$2.36		\$25.96	this should have been valued as storage
Thomas, Lendon	\$805.40		\$139.40				\$944.80	Ind use didn't calculate on original bill
TOTALS	\$3,114.43	\$0.00	\$238.51	\$180.00	\$10.21	\$193.45	\$3,736.60	

September 2015 Vehicle Rates for October 2015 Meeting

NAME	County	City	Fire	Interest	TOTALS	REASON
Davis, Martha	\$30.37		\$5.84		\$36.21	duplicate bill
TOTALS	\$30.37	\$0.00	\$5.84	\$0.00	\$36.21	