County of Madison

The Madison County Board of Commissioners met in regular session on Tuesday, August 12, 2014 at 7:00 p.m. in the Courtroom, Madison County Courthouse, Marshall, NC.

The meeting was called to order by Chairman Wayne Brigman. Members in attendance in addition to the Chairman were Commissioner Jim Baker, Commissioner Bill Briggs, Commissioner Hall Moore, County Manager Allen Lamberson, Attorney Donny Laws and Clerk Darlyne Rhinehart. Commissioner Sue Vilcinskas was absent.

I.

Upon motion from Commissioner Moore, seconded by Commissioner Briggs, the Board voted unanimously to approve the agenda with the follow additions: Allen Lamberson — Offer to Purchase Surplus Property; Bill Briggs — Resolution US Forest Service Land; Jan Shepard — Personnel.

11.

Upon motion from Commissioner Baker, seconded by Commissioner Moore, the Board voted unanimously to approve the minutes of the July 08, 2014, and the August 04, 2014 meetings.

111.

Upon motion from Commissioner Baker, seconded by Commissioner Moore, the Board voted unanimously to approve a Resolution accepting \$770.00 from The Community Foundation of Western North Carolina for Barnard Park.

Upon motion from Commissioner Baker, seconded by Commissioner Moore, the Board voted unanimously to approve the standard annual contract with the NC Forest Service.

IV.

Upon recommendation from Mr. Dyatt Smathers, Board of Elections Chair and Ms. Kathy Ray, Board of Elections Director, and upon motion from Commissioner Moore, seconded by Commissioner Baker, the Board voted unanimously to approve a Resolution to test new voting equipment from PrintElect at a cost of \$11,000.00.

٧.

Upon motion from Commissioner Moore, seconded by Commissioner Baker, the Board voted unanimously to approve the Annual Settlement of 2013 Taxes as presented by Lori Ray, Tax Collector.

Upon motion from Commissioner Baker, seconded by Commissioner Briggs, the Board voted unanimously to approve the Order of Collection for the 2014 Taxes.

Upon motion from Commissioner Moore, seconded by Commissioner Baker, the Board voted unanimously to approve the Insolvents Listing (deceased taxpayers – personal property).

VI.

Upon motion from Commissioner Briggs, seconded by Commissioner Baker, the Board voted unanimously to approve a resolution requesting the U. S. Department of Education provide financial assistance for elementary and secondary public schools in Madison County pursuant to the provisions of the Impact Aid Program Statute (20 U.S.C. 7702).

VII.

Josh Norton, Chief of the Hot Springs Fire Department, appeared before the Board requesting that the lines of the Hot Springs Fire Department be changed to include areas they now serve but are not within their district.

Chairman Brigman agreed to meet with the chiefs of both departments along with Mr. Eddie Fox to see if a resolution could be worked out.

Commissioner Baker informed the Board that it might be mediated if there is no agreement and all other avenues were exhausted.

No action was taken.

VIII.

Upon recommendation from Connie Harris, Social Services Director, and upon motion from Commissioner Moore, seconded by Commissioner Baker, the Board voted unanimously to approve a Memorandum of Understanding between the Madison County Partnership for Children and Families, Inc. and the Madison County Local Purchasing Agency. The purpose of the MOU is to define the use of Smart Start funds for the 2014-2015 State Fiscal Year.

IX.

The Board heard form Diana Rogers and Becky Webb, Health Department employees, in regards to a proposed fee schedule for the Health Department for this fiscal year. This item was tabled to the September meeting in order that more information is made available to the Board.

Upon motion from Commissioner Moore, seconded by Commissioner Briggs, the Board voted unanimously to employ Mikki McKinney at Patriot Place.

Χ.

County Manager, Allen Lamberson, updated the Board on plans to increase Medicaid Transportation.

The Board tabled action on a master services agreement with AMEC.

Upon motion from Commissioner Baker, seconded by Commissioner Moore, the Board voted unanimously to approve the Accident Prevention Policy of the County with the addition of the adoption date added to the document.

Upon motion from Commissioner Moore, seconded by Commissioner Baker, the Board voted unanimously to approve a fiber optic agreement with French Broad EMC pending attorney review.

Mr. Lamberson updated the Board on the PARTF grant application process.

Upon motion from Commissioner Baker, seconded by Commissioner Moore, the Board voted unanimously to reject a contract received from Mr. David Harrell to purchase real property described in Book 562, Page 153 of the Madison County Registry for the purchase price of \$6,000.00. The County cannot accept Paragraph 6 of the contract stating. "The current ad valorem tax assessment value shall be adjusted to reflect the Purchase Price of this Contract". The contract does not provide for publication and the amount proposed is not reasonable.

Mr. Lamberson discussed the possibility of adding more ball fields at the Walnut Community Center. Commissioner Moore voiced his concern that the members of the Walnut Community be communicated with and get their ideas and thoughts on this matter.

XI.

Upon motion from Commissioner Moore, seconded by Commissioner Baker, the Board voted unanimously to approve Budget Amendment #01.

XII.

The Board heard from Mr. Pete Orthmann during the public comment section. Mr. Orthmann spoke about the cleaning of windows and drapes in the courtroom as well as lighting. Mr. Orthmann stated that he had requested notification of all regular and special meetings of all county departments and that it was the legal obligation of the County Manager to supply that notification as he is responsible for all of the county departments.

XIII.

Upon motion from Commissioner Brigman, seconded by Commissioner Moore, the Board voted unanimously to enter into closed session to discuss personnel matters.

XIV.

Upon motion Commissioner Moore, seconded by Commissioner Briggs, the Board voted unanimously to return to open session.

Commissioner Baker motioned that the meeting be adjourned. Motion was seconded by Commissioner Briggs. Motion failed on a vote of 2 to 2. Voting in the affirmative were Commissioner Baker and Commissioner Briggs. Voting in the negative were Commissioner Moore and Commissioner Brigman.

Upon motion from Commissioner Moore, seconded by Commissioner Brigman, the Board voted unanimously to approve Jennifer Willard Matthews as a temporary part-time employee with Madison County Animal Control.

Upon motion from Commissioner Moore, seconded by Commissioner Brigman, the Board voted unanimously to approve moving Joshua Robinson from part time to permanent full time with 911.

Upon motion from Commissioner Moore, seconded by Commissioner Brigman, the Board voted unanimously to approve moving Peggy Norton from emergency to temporary part time with Community Services.

Commissioner Brigman motioned that County Manager Allen Lamberson be terminated effective August 15th and that Darlyne Rhinehart be named the interim County Manager. Motion was seconded by Commissioner Moore.

Commissioner Baker motioned to amend Mr. Brigman's motion, by deleting that portion of his motion providing for the dismissal of a county employee or new position for another employee, and substitute the following: that the County implement a comprehensive evaluation process of all department heads and county manager, in written form, in a manner to be devised by the department heads and manager and approved by the Commissioners. The evaluation will be known as an Annual County Government Review, and will be submitted to the Commissioners in open session at our regular October meeting, for approval and implementation. Motion was seconded by Commissioner Briggs. Motion failed on a vote of 2 to 2. Voting in the affirmative were Commissioner Baker and Commissioner Briggs. Voting in the negative were Commissioner Brigman and Commissioner Moore.

Commissioner Baker respectfully requested that Commissioner Brigman withdraw his motion, that he felt it inappropriate when not all of the Commissioners are present and without advance notice.

Upon motion from Commissioner Brigman, seconded by Commissioner Briggs, the Board voted unanimously to approve Commissioner Brigman withdrawing his motion.

XV.

Upon motion from Commissioner Baker, seconded by Commissioner Briggs, the Board voted unanimously to adjourn.

This the 12th day of August, 2014.

MADISON COUNTY

Bv.

Wayne Brigman, Chairman Board of Commissioners ATTEST:

Darlyne Rhinehart, Clerk

				7			
				רמונ			
			Disposal	list			
NAME	County	Fire	fee	fee's	Int	TOTALS	•
Agricredit Acceptanc	\$352.77	\$61.06				\$413.83 all property in Yancey County	
Allen, Penny	,		\$180.00			\$180.00 discovering to Kim Harman	İ
Alvarado, Carmen	\$26.00			\$2.60		\$28.60 billed to acct 28745	
Anderson, Yvonne			\$151.00			\$151.00 elderly exemption rate wasn't applied	
Bailey, Joe			\$180.00			\$180.00 per solid waste	
Baldwin, Johnny	\$26.00	\$4.00		\$3.00		\$33.00 no longer owns mh this was a DMV listed	
Ball, Brenda			\$180.00			\$180.00 per solid waste no water or power	
Boles, Kenneth	- mg		\$180.00	<u> </u>		\$180.00 per solid waste no power	
Brown, Paul			\$180.00			\$180.00 per solid waste no water	
Bullman, Kelvin	\$1.04	\$0.06				\$1.10 barn was removed	
Burnette, Michael			\$180.00		.	\$180.00 vacant property	
Cantrell, Aileen			\$180.00			\$180.00 disposal billed under acct 23107	
Cheatham, Joseph	\$49.43			\$4.94		\$54.37 mh taxed under acct 1391	
Cody, Claude			\$180.00			\$180.00 sold mobile home to Bruce Cody	
Coffland & Company	\$52.00	\$8.00				\$60.00 2014 business hasn't started yet	
Collins, Sheila	\$15.66	\$2.41				\$18.07 adjusted value was charged for two chimneys	S
Cook, Roy	\$276.58	\$53.19	\$180.00			\$509.77 discovered bill to correct owners acct 280273	3
Cooper, Tommy	\$203.82	\$39.20	\$180.00			\$423.02 hse burned down March 2013 adjusted value per FH	e per FH
Cutshall, Lillie	\$26.00					\$26.00 sold mh with land to Lisa Shelton	•
Daily Deals	\$65.00			\$6.50		\$71.50 business closed in 2012	
Dartdusters	\$52.00	\$7.00		\$5.90		\$64.90 business was registered but not started yet	
Davis, Harry	\$66.04	\$8.89	\$180.00	\$7.49		\$262.42 billed to acct 16605	
DeHart, Annie	\$146.50	\$5.63				\$152.13 made house 70% complete for 2014	
Doan, Belinda	\$26.00	\$3.50		\$2.95		\$32.45 no mobile home in county	
Edwards, Virginia			\$180.00			\$180.00 per solid waste no water	
Flynn, Edith	\$422.62	\$81.27	\$180.00			\$683.89 land was split discovered on correct amount	
Flynn, James	\$512.55	\$98.57				\$611.12 land was split discovered on correct amount	
Flynn, James	\$381.61	\$73.39	\$360.00			\$815.00 land was split discovered on correct amount	
Fore, Howard			\$360.00			\$360.00 per solid waste only 1 hse on property with no water	o water
Fore, Howard			\$180.00			\$180.00 2012 bill only has one house on property	
Fore, Howard			\$180.00			\$180.00 2013 bill only has one house on property	
Franklin, Lorena	\$26.00	\$3.50		\$2.95		\$32.45 listed as real est to acct 10417 per FH	
Hefner, Dorothy	\$243.35		\$151.00		— :	\$394.35 granted elderly exemption	
Honeycutt, Mary			\$180.00			\$180.00 per solid waste	

August 2014 Property Releases for September 2014 Meeting

Huizar, Albert			\$180.00		\$180.00 per solid waste no water
Jellema, Joshua	\$26.00	\$4.00			\$30.00 DOT listing mobile home sold 20 years ago per FH
JSR Construction	\$53.12			\$5.31	\$58.43 business closed 2/28/2013
King, Felicia	\$151.89	\$17.53			\$169.42 this was a DOT listing mh is in Buncombe County
emon, Robert			\$540.00		\$540.00 vacant land
unsford, Hazel	\$20.80	\$2.80			\$23.60 adjusted value of mobile home its storage only
Maltry, Dan			\$180.00		\$180.00 per solid waste
Maltry, Dan			\$180.00		\$180.00 per solid waste
Mars Hill Bulk Food	\$23.52			\$2.35	\$25.87 moved to Buncombe County for 2014
Matney & Assoc.			\$180.00		\$180.00 2014 bill vacant land
Matney & Assoc.			\$180.00		\$180.00 2013 bill vacant land
Matney & Assoc.			\$180.00		\$180.00 2012 bill vacant land
Matney & Assoc.			\$190.00		\$190.00 2011 bill vacant land
Matney & Assoc.			\$190.00		\$190.00 2010 bill vacant land
Meadows, Ronnie			\$180.00		\$180.00 per solid waste
Moore, Elzie	\$130.00	\$17.50			\$147.50 granted elderly exemption
Old Bull Creek Bapti	\$101.66	\$13.69			\$115.35 exempt property
Old Bull Creek Bapti	\$112.69	\$15.17			\$127.86 exempt property
Price, Wanda	\$809.94	\$46.73			\$856.67 land was combined with ma 2430 released & discover
Price, Wanda	\$555.30	\$32.04	\$360.00		\$947.34 land was combined per pb 7/472 discover correct amt
Pruyne, Sharon	\$130.00	\$17.50	\$151.00		\$298.50 granted elderly exemption
Randall, Deborah	\$26.00	\$4.00		\$3.00	\$33.00 released & discovered to correct fire district
Rector, Ryan	\$1.04	\$0.14			\$1.18 stg bldg was removed
Redmon, Danny	\$162.57	,	\$151.00		\$313.57 granted elderly exemption
Reeves, Ruby	!		\$180.00		\$180.00 no water per solid waste
Rice, Curtis	\$224.96	\$30.28	\$151.00		\$406.24 granted elderly exemption
Rice, Judy	\$26.00	\$3.50		\$2.95	\$32.45 this mobile home is listed to acct 11952
Rice, Katherine	\$26.00			\$2.60	\$28.60 no longer has mh
Rice, Steve	\$234.00	\$27.00	\$151.00		\$412.00 granted disabled veteran exemption
Ricker, Burlin			\$180.00		\$180.00 SWMH no longer there
Ricker, Darrell			\$180.00		\$180.00 charged for to many trash cards
Roberts, Kenneth	\$26.00			\$2.60	\$28.60 sold property to Matthew Cook
Rollins, Sandra	\$5.20	\$0.20			\$5.40 mobile home was torn down
Rosseter, Diane	\$82.78	\$11.14			\$93.92 adjusted acreage per survey
Shelton, Lisa			\$180.00		\$180.00 this property only has 1 SWIMH
Shepherd, Jackie			\$855.00		\$855.00 released all but 1 disposal they are charged on 279753
Silver John			\$180.00		\$180.00 no water per solid waste

August 2014 Property Releases for September 2014 Meeting

Smaldone, Ronald	29.009\$	\$80.86			L	\$681.53 adj	\$681.53 adjusted value for correct sf for basement
Smith, Dwain			\$180.00			\$180.00 per	\$180.00 per solid waste no water
The Garage	\$130.00			\$13.00		\$143.00 no	\$143.00 no business in operation personal stuff only 2013 bill
The Garage	\$162.50			\$16.25		\$178.75 no	\$178.75 no business in operation personal stuff only 2014 bill
Thompson, David	\$419.18	\$80.61	\$180.00			\$679.79 Jar	\$679.79 James Flynn conveyed land to this discovered amount
Wallin, James	\$1,491.38	\$86.04	\$569.00			\$2,146.42 lan	\$2,146.42 land was divided bills sent to correct owners
Worley, Carl			\$180.00		1	\$180.00 SV	\$180.00 SWMH gone vacant property
Yarborough, Matthew \$1,178.83 \$158.69	\$1,178.83	\$158.69	\$180.00			\$1.517.52 this	\$1.517.52 this land should've merged with larger tract
Yarborough, Matthew	\$249.43	\$33.58				\$283.01 this	\$283.01 this land should've merged with larger tract
TOTALS	\$10.132.43 \$1 132.67	\$1 132 67	\$10,090,00	\$84.39	\$0.00	10 090 00 \$84 39 \$0 00 \$21 439 49	

August 2014 Vehicle Releases for September 2014 Meeting

NAME	County	City	Fire	Interest	TOTALS
Banks, Christine	\$10.80	\$9.76	1		\$20.56 2013 bill taxpayer turned tag in with time remaining per collections
Bradley, Allen	\$3.36		\$0.33		\$3.69 2013 bill taxpayer turned tag in with time remaining per collections
Bradley, Allen	\$2.72		\$0.40		\$3.12 2013 bill taxpayer turned tag in with time remaining per collections
Bradley, Allen	\$6.15		\$0.60		\$6.75 2013 bill taxpayer turned tag in with time remaining per collections
Buckner, Delora	\$3.67	\$3.46		i	\$7.13 2013 bill taxpayer turned tag in with time remaining per collections
Burchfield, Jacqueline	\$8.10		\$1.56		\$9.66 2013 bill taxpayer turned tag in with time remaining per collections
Chandler, Danielle	\$43.68		\$6.72	i	\$50.40 duplicate bill paid bill 2013-11-00274
Crowder, Jacob	\$15.24		\$2.34		\$17.58 2013 bill taxpayer turned tag in with time remaining per collections
Doney, James	\$9.50				\$9.50 2013 bill taxpayer turned tag in with time remaining per collections
Fowler, Karen	\$4.45	 		į	\$4.45 2013 bill taxpayer turned tag in with time remaining per collections
Fowler, Nathan	\$41.08		\$7.90		\$48.98 billed twice for 2013 due to 90 day tag
Hensley, Louise	\$116.53		\$4.48		\$121.01 billed twice for 2013 due to 90 day tag
Johnson, Anne	\$33.37		\$1.28	i	\$34.65 duplicate tax bill per collections
Massey, Burlin	\$39.00		\$7.50		\$46.50 billed twice for 2013 due to 90 day tag
Miller, Derick	\$4.11		\$0.63		\$4.74 duplicate billing per collections
Moore, Christopher		\$43.76	ļ		\$43.76 not in city limits
Norton, Marvel	\$3.45				\$3.45 2013 bill taxpayer turned tag in with time remaining per collections
Nowlin, Robert	\$7.70		\$1.70		\$9.40 2013 bill taxpayer turned tag in with time remaining per collections
Pegg, Jackie	\$7.48		\$1.16		\$8.64 2013 bill taxpayer turned tag in with time remaining per collections
Penland, Jonathan	\$41.08		\$7.90		\$48.98 billed twice for 2013 due to 90 day tag
Phillips, Bronis		\$60.21			\$60.21 not in city limits
Shelton, Sherry	\$144.35		\$22.21		\$166.56 billed twice for 2013 due to 90 day tag
Wrenn, Hardin		\$70.02			\$70.02 not in city limits
TOTALS	\$545.82 \$187.21	\$187.21	\$66.71	\$0.00	\$799.74

August 2014 Refunds for September 2014 Meeting

				Disposal Lafe list	Lafe list			
NAME	County City	City	Fire	fee	fee's	Int	TOTALS	REASON
Collins, Sheila	\$15.66		\$2.41		į		\$18.07	\$18.07 adjusted value of DWMH was charged for 2 chimpage
Evans, Donald		i		\$180.00			\$180.00	\$180.00 har solid waste mobile home removed 2 was care
Fore, Howard				\$570.00		-	\$570.00	\$570 00 2009-2014 only 1 bouse on according
Sams, Ralph	\$150.50		\$8.68				\$150.18	\$159.18 moved hee to Kenin Same
Smaldone, Ronald	↔		\$115.52				\$1,316.86	\$1.316.86 adjusted value of hemt to correct square feature
								בליביבה במינה כן בסיירות מסווכנו פלחמום וחסומלים
TOTALS	\$1,367.50 \$0.00 \$126.61	\$0.00	\$126.61	\$750.00		\$0.00	\$0.00 \$0.00 \$2.244.11	

TAX COLLECTOR'S ANNUAL SETTLEMENT OF 2013 TAXES

SWORN REPORT STATEMENT

The sworn report presented to the Madison County Board of Commissioners this 12th day of August, 2014, by Lori Ray, Tax Collector for Madison County, contains the required information set forth in N.C.G.S. 105-373 of the Machinery Act of North Carolina.

I, Lori Ray, attest to the fact that the information provided in this Annual Settlement of 2013 Taxes is accurate to the best of my knowledge and that diligent efforts to collect taxes due were made using available collection remedies as provided by the North Carolina Machinery Act.

Lori Ray, Madison County Tax Collector

Subscribed and sworn to before the Madison County Board of Commissioners this the 12th day of August, 2014 at the monthly scheduled meeting.

Wayne Brigman, Chairman

Madison County Board of Commissioners

ORDER OF COLLECTION 2014 TAXES

(As required by GS 105-321)

STATE OF NORTH CAROLINA COUNTY OF MADISON

TO THE TAX COLLECTOR OF THE COUNTY OF MADISON:

YOU ARE HEREBY AUTHORIZED, EMPOWERED, AND COMMANDED TO COLLECT THE TAXES SET FORTH IN THE TAX RECORDS FILED IN THE OFFICE OF THE TAX ASSESSOR AND IN THE TAX RECEIPTS HEREWITH DELIVERED TO YOU, IN THE AMOUNTS AND FROM THE TAXPAYERS LIKEWISE THEREIN SET FORTH. SUCH TAXES ARE HEREBY DECLARED TO BE A FIRST LIEN UPON ALL REAL PROPERTY OF MADISON COUNTY, AND THIS ORDER SHALL BE A FULL AND SUFFICIENT AUTHORITY TO DIRECT, REQUIRE, AND ENABLE YOU TO LEVY ON AND SELL ANY REAL OR PERSONAL PROPERTY OF SUCH TAXPAYERS, FOR AND ON ACCOUNT THEREOF, IN ACCORDANCE WITH LAW.

WITNESS MY HAND AND OFFICIAL SEAL, THIS 12th DAY OF AUGUST, 2014.

CHAIRMAN, BOARD OF COMMISSIONERS

MADISON COUNTY

ATTEST:

CLERK TO THE BOARD OF COMMISSIONERS MADISON COUNTY

Danupre Rhinehart



Commissioner's Office

September 09, 2014

Community Foundation of Western North Carolina 4 Vanderbilt Park Drive, Suite 300 Asheville, North Carolina 28803

Dear Pigeon River Fund Board Members:

Madison County looks forward to working with the Boy Scouts and the Spring Creek Community Center to clean up the waterfalls on Baltimore Branch in the Spring Creek area.

There are some technical challenges due to steep terrain associated with removing trash and debris from this location. Boy Scouts bring technical expertise and know how to this project. This will match up well with the drive and enthusiasm that Spring Creek residents have shown for cleaning up their roadways and waterways.

Madison County pledges the full support of the County's Solid Waste Department, County Maintenance Department and County Manager to help make this project a success. We also pledge to be diligent in promoting this project on social media and in the local paper. This project should spur other communities in Madison County to undertake similar efforts.

We look forward to working with the Pigeon River Fund to make this project a reality.

Thank you for your consideration.

Sincerely,

Wayne Brigman, Chairman Board of Commissioners

Wane Brysa



Commissioner's Office

September 09, 2014

Community Foundation of Western North Carolina 4 Vanderbilt Park Drive, Suite 300 Asheville, North Carolina 28803

Dear Pigeon River Fund Board Members:

Madison County looks forward to working with Mountain Valleys Resource Conservation and Development to improve recreational river access for our local citizens and economic development.

Mountain Valleys Resource Conservation and Development's reputation of delivering quality goods on time and on budget gives Madison County confidence that they are the agency of choice for this grant project. Their experience bringing multiple agencies together for a common cause is exactly what is needed for this project.

It is our understanding that the project would include conceptual plans showing different river development alternatives, project prioritization based on community support, and a permitted engineered design for at least one of the proposed projects. We recognize opportunities for improvement and are excited to revitalize the river area with recreational economic development.

We look forward to the results of this important planning stage and are happy to support this project.

Thank you for your consideration.

Sincerely,

Wayne Brigman, Chairman Board of Commissioners

Wagne Bogin



Commissioner's Office

September 09, 2014

Community Foundation of Western North Carolina 4 Vanderbilt Park Drive, Suite 300 Asheville, North Carolina 28803

Dear Pigeon River Fund Board Members:

The Madison County Board of Commissioners endorses the application for improvement to the public access site at Redmon Dam. We believe this project will improve public access to the French Broad River and reduce erosion during high water events.

In Madison County we have a strong partnership with the Madison County School System and the Soil and Water Conservation District. We will ensure that the educational opportunities of this project are taken advantage of by a wide variety of students. Our relationship with the Soil and Water Conservation District will ensure that the educational program conducted at this site will be of the highest caliber.

Madison County pledges the full support of the County's Maintenance Department, Solid Waste Department, Parks and Recreation Department and the County Manager to help make this project a success. We also pledge to be diligent in promoting this project on social media and in the local paper.

Thank you for your consideration of this grant application.

Sincerely,

Wayne Brigman, Chairman Board of Commissioners

Wayre Brynn