

**STATE OF NORTH CAROLINA  
COUNTY OF McDOWELL  
CITY OF MARION**

The City Council for the City of Marion met in Regular Session on Tuesday evening, February 6, 2024 at 6:00 P.M. at the Marion Community Building, located at 191 North Main Street in Marion.

**BOARD MEMBERS PRESENT:** Mayor Pro Tem Woody Ayers, Council Members Billy Martin, Ann Harkey, Chet Effler, and Don Ramsey. Mayor Steven Little was not in attendance due to being out of the country on a mission trip.

**OTHERS PRESENT:** Bob Boyette, City Manager/Clerk; Dawn Penland, Finance Director; Jim Isaacs, Assistant Finance Director; Brant Sikes, Public Works Director; Heather Cotton, Planning and Development Director; Sarah Dhunjishaw, Lead for NC Fellow; Allen Lawrence, Police Chief; Kathleen Nolan, Human Resources Director; Mike Conley, Reporter, McDowell News.

**GUESTS PRESENT:** Harriett Thomas, ABC Board Finance Officer; Jayne Edwards, ABC Board Manager; Harvey Ferguson; John Jacobs.

Mayor Pro Tem Ayers began the meeting by announcing that the agenda would be abbreviated due to illness and then turned the meeting over to City Manager Bob Boyette.

Manager Boyette announced that the Citizen of the Month presentation would be postponed until the March 5, 2024 Council meeting, and the Marion Business Association presentation would be rescheduled for a future meeting, due to illness. Manager Boyette also announced that the presentation of the 2022-23 audit would be moved on the agenda to later in this evening's meeting, as the auditor was running late due to traffic.

**CONSENT AGENDA:** Upon a motion by Council Member Effler, seconded by Council Member Ramsey, all Council Members present voted to approve the Consent Agenda as follows:

**A. Approval of January 16, 2024 Regular City Council Meeting Minutes**

**B. Receive Report of Unpaid 2023 Real Property Taxes**

**2023 Delinquent Real Property Tax List as of 1/30/24**

Prop/Parcel	Owner Name	Owner Name2	Tax Prin Balance
170107-68-4082	120 N MAIN STREET, LLC		5,483.61
170115-74-3459	ABERNATHY ERIC	ABERNATHY SULHAY	1,216.16
170107-58-4584	AFTER 5 PROPERTIES LLC		1,977.69
170116-94-0923	AFTER 5 PROPERTIES LLC		615.89
170112-76-8280	ALVARADO ROSA TREVO	JUAN AYALA	359.04
171105-19-2266	ANDREWS SADIE ROSA MCKINNEY	ANDREWS JESSICA	137.50
171213-22-2786	ARROWOOD OLLIE MAE	(DECEASED) C/O HEIRS	250.42
170115-64-4683	ARROWOOD SAMUEL EARL JR	ARROWOOD ANGELA B	680.68
170111-76-1289	ATKINS CHARLES	ATKINS SHERI L	1,770.56
170112-75-5437	AUTREY LESIA LIFE ESTATE	AUTREY ZACHARY JAMES	493.62
170112-76-7705	AYALA GRECIA		366.52
170108-99-2482	AYERS JILL RENNEE		905.14
171106-38-9891	BAILEY ANDREA		272.37
170110-35-5950	BAKER JOHN LUTHER		165.00
170108-88-5221	BAKER MAX K JR		137.50
170111-67-6250	BARBER & BEER LLC		307.95
170111-67-7279	BARBER & BEER LLC		165.00
170108-78-5472	BEACON PROPERTIES A N C		812.90
170118-32-1127	BEAM WILLIE H MRS (DECEASED)		203.23
170114-33-7639	BEATTY THOMAS A		337.54
171106-38-3689	BELTRAN MAXIMINO	BELTRAN TOMASA	154.00
170108-88-5285	BENNETT GEORGE ANDREW	BENNETT JANICE MYERS	1,001.39
171217-20-4453	BERRYHILL ALVIN RAY JR		563.97
171218-20-5448	BERRYHILL ALVIN RAY JR		82.50
079200-95-8080	BERRYHILL ALVIN RAY SR		1,622.50
170203-04-2991	BERRYHILL ALVIN RAY SR		1,930.45
170111-65-9286	BHATTARAI KRISHNA P AND WIFE	BHATTARAI RUSHIE GHIMIRE	418.99
171106-28-6491	BIANCHI BNBS LLC		250.14
170106-39-7899	BLACK AND GOLD INVESTMENT GROU		1,513.12
170107-68-1805	BORDERS BRENDA KAY		867.13
171105-09-6487	BOYD BETTY		240.07
171113-14-1676	BOYD DEVON ETALS LIFE ESTATE		181.67
170005-18-6498	BRADFORD JAMIE	FRISBEE BRUCE JR	521.95
170106-48-1886	BRADLEY LUMBER CO INC		137.50
170106-48-7662	BRADLEY LUMBER CO INC		7,323.20
170218-40-8161	BRADLEY LUMBER CO INC		178.75
171109-15-9492	BRADY DANNY	BRADY GAIL TUCKER B	398.64
170110-47-5276	BRICKSON KATHLEEN D (1/2 INT)	CITY OF MARION (1/2 INT)	88.00
170009-06-0778	BRIGHT BEATRICE	MCDANIEL RUSSELL HEIRS ET AL	501.55
170108-88-1725	BROOM DONALD E JR	BROOM GRACE L	196.08
170110-46-7957	BROWN ANTHONY PAUL	BROWN VICTORIA PITTMAN	383.41
170110-35-6731	BROWN LARRY D	BROWN BETTY LOUISE	312.17
171109-25-0470	BROWN TROY TIDEN JR	BROWN TAMMY MICHELLE	404.25
170111-67-2397	BRYN DERWIN PROPERTIES LLC		1,467.68
170111-67-3358	BRYN DERWIN PROPERTIES LLC		336.77
171109-16-6558	BUCHANAN CALVIN		472.78
171217-01-3154	BUCHANAN JESSICA		284.57
171105-29-4819	BUFF TONY & DONNA		462.44
170107-67-0682	BUSICK FRED D	BUSICK CATHY J	1,530.32
170114-33-5170	BUTLER JAMES A		343.15
170112-85-9289	BUTNER DENNIS	BUTNER JUDY	509.30
170106-47-5572	CAIN KELLY M (1/2 INT)	MCELVEEN ERIC W (1/2 INT)	1,034.85
171109-05-3705	CALDWELL CHARLES A		137.50
170111-67-4161	CARLTON DAWN	44 MAIN LLC	3,368.59
170111-66-7650	CARMACK BOB L		728.31
170112-76-9231	CARMACK BOB L		464.37
170114-42-6870	CARNES DAVID ANDREW		55.00
170118-42-4066	CARNES DAVID ANDREW		27.50
170118-42-5056	CARNES DAVID ANDREW		27.50
170118-42-6024	CARNES DAVID ANDREW		27.50
171217-00-5310	CARPENTER CHRISTY L		34.38
171217-00-5376	CARPENTER CHRISTY L		301.35
170114-33-5284	CARSON EZEKIEL JR HEIRS		55.00
170117-22-4271	CARSON SARAH JANE (DECEASED)		110.00
170114-33-5526	CARSON VERNON E & MARY A(DCSD)		248.93
170114-33-5641	CARSON VERNON E & MARY A(DCSD)		319.00
171106-39-1656	CARTER LANNIE DEAN JR		137.50
171109-06-9367	CASERO PILAR		628.87
079200-96-6831	CATAWBA RIVER OUTDOORS INC		76.73

**2023 Delinquent Real Property Tax List as of 1/30/24**

Prop/Parcel	Owner Name	Owner Name2	Tax Prin Balance
079200-96-7965	CATAWBA RIVER OUTDOORS INC		1,348.77
079200-97-6007	CATAWBA RIVER OUTDOORS INC		86.63
170201-05-2192	CHAPMAN TRICIA WALKER		185.13
171217-00-9978	CHRISAWN FINLEY		166.05
171113-14-5782	CISNEROS ADRIANA I AYALA		269.45
170114-32-4537	CLARILLO MARIOLYN LOUISE ETAL		452.93
171109-16-8480	CLAYTON BETTY S.		409.26
170111-75-1602	CLKK MARION LLC		645.43
170114-42-6668	COAST2COAST LLC		24.75
170118-30-6999	COLE FAMILY INVESTMENTS LLC		1,472.63
170217-11-7290 231	COLLINS MARGIE JEAN	IVES LINDA S	217.09
170114-32-2903	CONLEY CHARLIE & ELOISE HEIRS		144.10
170114-33-7127	CONLEY GREGORY D	CONLEY FELICIA	267.91
170114-33-7233	CONLEY JOE S	CONLEY BARBARA F	279.02
170118-42-2212	CONLEY RACHEL ANN		101.14
170203-04-4019	CORTEZ CECILIA OROZCO	MORALES TORIBIO	137.50
170111-57-8072	COURT STREET SISTERS LLC		542.14
170111-57-9034	COURT STREET SISTERS LLC		1,036.31
170110-35-8570	COX PAMELA S ET VIR	COX JAMES T	291.23
171105-18-5384	CRISP KAY D		417.73
170110-45-3517	CROSS MILL PROPERTIES LLC		336.00
170114-34-5807	CROSS MILL PROPERTIES LLC		27.50
170111-66-5759	CROWN CORNERSTONE CORP		1,352.95
171217-20-1154	CUANAS-MEJIA JOSE NELSON	GABRIEL MARICELA RIVERA	170.50
171213-02-4671	CUEVA PAEZ PROPERTIES INC		294.31
171213-02-5503	CUEVA PAEZ PROPERTIES INC		110.00
171105-08-2854	DALE TOMMY W	BROWN DENISE RENEE	251.30
171106-38-5481	DAVIS GRANT TODD		240.24
170110-35-5663	DENNY KENNETH R	DENNY KATHY	397.71
171106-29-8374	DENTON CAMERON J	DENTON LOIS H	737.17
171218-31-6063	DOCKERY BRADFORD WILLIAM		670.09
170108-97-0535	DULANEY DONALD RAY		198.63
170110-36-2799	DUNN CRYSTAL J		285.29
170108-99-8588	EDMONDSON FREIDA RECOC		580.31
170111-76-3146	ELKINS BRIDGET		502.70
171113-22-2849	ELLIOTT CHARLES	ELLIOTT NANCY	612.43
171105-28-4984	ELLIOTT JAMES D		348.37
171218-31-9057	ENDEAVOUR HOMES LLC		137.50
171218-41-0194	ENDEAVOUR HOMES LLC		137.50
171218-41-0218	ENDEAVOUR HOMES LLC		137.50
171218-41-0381	ENDEAVOUR HOMES LLC		137.50
171218-41-1168	ENDEAVOUR HOMES LLC		137.50
171218-41-2242	ENDEAVOUR HOMES LLC		137.50
171217-12-8086	ESPINOSA NICOLAS B & ALMA C	PONCE	275.33
170108-89-1586	ESTES KEVIN CHARLES &	ESTES SANDRA G	481.86
170217-11-7290 112	EZELL RHODA AKA	WARD RHONDA	184.14
170112-87-9424	FABIAN BERTHA ALICIA SANCHEZ		450.56
170113-22-4721	FERGUSON ALLEN S & ALESIA		401.56
171113-14-2627	FERGUSON DEBORAH		209.00
170108-89-3530	FLANNIGAN KANDLE ISRAEL		276.01
170111-66-7981	FLETCHER CINDY RUEL		527.67
170108-78-9251	FOOTHILLS COMM THEATER LLC		930.71
171105-19-9468	FORE DEBORAH M		177.51
170114-23-7275	FORNEY CHRISTOPHER JAREN		88.00
170108-89-1643	FORTENBERRY RENTAL LLC		55.00
170110-46-2443	FRANKLIN PAM 1/2 INTEREST	HOLLIFIELD MICHAEL 1/2 INT	268.51
170114-22-6696	FREEMAN JESSE LEE JR.		297.88
170005-18-5101	FRISBEE BRUCE	FRISBEE DORIS	2,254.29
170005-18-1039	FRISBEE BRUCE ET UX	FRISBEE DORIS	369.44
170005-18-1176	FRISBEE BRUCE ET UX	FRISBEE DORIS	380.55
170005-18-8415	FRISBEE BRUCE ET UX	FRISBEE JAMIE	96.25
170112-95-3302	FULLER CHARLES		479.71
170114-32-8774	FULLWOOD CLIFTON ANTHONY		110.00
170114-42-0525	FULLWOOD CLIFTON ANTHONY		77.00
171113-14-4515	GABRIEL ADRIAN MAGANA	JUAREZ JUANA MAGANA	154.00
171105-09-7761	GALDAMEZ OSCAR MANUEL ORELLANA	IRAHETA SANTOS MANUEL ORELLANA	132.83
171109-17-9061	GALLION JEFFREY LYNN	GALLION NANCY	544.12
170111-75-2423	GARCIA ARTURO ET UX	GARCIA MARIANA	539.88
171217-12-7322	GARCIA ISRAEL ROJAS & WIFE	CERECEDO PATRICA FUENTES	221.49

**2023 Delinquent Real Property Tax List as of 1/30/24**

Prop/Parcel	Owner Name	Owner Name2	Tax Prin Balance
170110-47-7166	GIBBS LESLIE ALLISON		542.38
171113-23-3852	GIBBS MARIE YVONNE		1,422.91
171106-39-9594	GILLILAND JOYCE	MACEDONIA CHURCH LOOP	312.73
171114-22-8829	GODFREY BRENDA O (L/E)		429.33
170114-33-6086	GOODE OREA F		258.17
170114-42-4892	GOODMAN DRUCILLA PARKS		115.50
170114-32-8867	GOODMAN DRUCILLA PARKS 1/2	RUTHERFORD LAURA HEIRS 1/2	252.34
170112-96-2916	GRAGG HERMAN RUSSELL		405.52
170108-98-9635	GREENE ELIZABETH FAYE		283.17
170111-67-5054	GRIFFITH BILL INC.		2,585.00
079200-95-0453	GTLS & A CO LLC		4,324.60
171218-40-3392	GUARDIAN MAXAMILIANO		182.60
079012-86-8182CT001	GURLEY PROPERTIES LLC		539.06
171105-18-5828	GUTIERREZ CORDOVA ALBERTINA A	JUAREZ MAIRO ARISTONDO	296.45
171109-16-9654	HALL GLADYS		209.50
170114-34-3995	HALL KENNETH RAY REV		373.07
171105-19-8481	HARDY WILLIAM F	HARDY JODEE K	326.59
171217-10-0294	HARRIS MARY FRANCES	HARRIS TOMMY W (DECEASED)	387.86
171109-15-6786	HARRIS TERESA DENISE DAVIS		430.87
170108-99-1735	HARRISON MELVIN J III		452.32
170110-35-7842	HARVEY JAMES LESTER ET AL	CLINE TONIA ANN	274.01
170116-84-3556	HATTERMAN CAROL		1,216.82
171105-09-2273	HELMS ALAN T 1/2 INT	HELMS DIXIE L 1/2 INT	477.73
170108-79-9758	HENDLEY STEVEN C ET UX	HENDLEY DORA ELAINE	462.06
170108-89-0836	HENDLEY STEVEN C ET UX	HENDLEY DORA ELAINE	126.50
170117-22-0329	HENRY LESLIE DIANA	MILLER LESLIE DIANA AKA	99.00
171217-02-2309	HENSLEY JANICE REESE		471.30
170107-57-2697	HENSLEY RONALD HUGH	HENSLEY PALMER D	1,132.62
170108-98-1850	HENSLEY TIMOTHY BRIAN		561.11
171109-26-1522	HERNANDEZ CLARA MORENO		389.90
171105-28-1533	HERNANDEZ DOMINGO R	HERNANDEZ FRANCISCA	247.39
170108-89-5911	HERNANDEZ JAVIER MORENO		531.69
171105-29-0766	HERNANDEZ VERBOLY NOELIA ROMAN		333.41
171105-29-2788	HICKS ALFRED J	HICKS LINDA L	160.79
170110-36-7999	HIGHLAND PATRICK JOHN JR		351.62
170108-97-5996	HILDENBRAND SANDRA FOWLER		905.25
171105-17-6599	HODGE JOHN DAVID	HODGE TERESA H	625.68
170112-96-2784	HOLLIFIELD JOHN LEE	HOLLIFIELD PILAR CRISTAL CRUZ	474.54
171105-29-3599	HOLLIFIELD RUBY JEAN	HOLLIFIELD HUSKINS DELLA	320.76
170114-42-0575	HOLLINGS A R D HEIRS		77.00
171217-00-4981	HUDGINS TERESA	WALDROP BERNICE ANN	259.33
171105-29-1800	HUDSON GLADYS SISK		158.79
170108-88-0100	HUGHES JOHNNY WAYNE DBA	HUGHES CONTRACTORSA SOLE P/SHI	912.67
171217-00-8657	HUTCHINS BRYAN FRANKLIN		280.72
171105-09-1745	IRAHEA SANTOS M ORELLAN ET AL	GALDAMEZ OSCAR M ORELLANA JTRS	255.59
171105-09-3567	IRAHEA SANTOS MANUEL ORELLANA	GALDAMEZ OSCAR MANUEL ORELLANA	720.28
170118-41-3816	JACKSON PHILLIP		133.38
170113-22-4769	JACKSON ROSIA		130.90
171217-00-3745	JASSO MARIO EDUARDO RAMIEREZ		242.77
171217-11-7626	JOHNSON BRENDA LOIS	JOHNSON JOHNNY	233.42
170114-33-4141	JOHNSON SANDRA ET AL	HARBISON SHAWN	110.00
171105-08-0971	JONES ADRIENNE STONE		416.19
170219-61-3001CT001	JUAREZ LAURA SEBASTIAN		382.58
171109-16-1384	JUSTICE CHRISTOPHER W		445.67
170217-22-3061	KENNEDY KERMIT ALVIN		3,653.49
170118-42-5377	KINCAID BOBBY(DECEASED)	KINCAID MAXINE	259.88
170114-32-9516	KINCAID FORREST	RHOM GENEVA	196.68
171218-20-7627	KIRBY ZELDA C (DECD)		532.84
170112-95-2655	LAEL KYLE BRADFORD		525.86
170118-21-6998	LARGIN CEPHUS HEIRS		276.93
170118-22-7241	LARGIN CEPHUS HEIRS		82.83
171109-16-9358	LATOUR DIANA (DECEASED)	MARCY CHERIE	424.49
171218-31-7410	LATTO DAVID D JR		1,310.16
170111-64-7849	LAUDERMILK ROBERT C	LAUDERMILK RUTH G	27.50
170203-04-5242	LEDBETTER MARIA		479.55
170203-04-6152	LEDBETTER MARIA		589.60
171218-30-2611	LEDFOORD DALLAS A (DECEASED)		214.50
170115-74-0873	LEDFOORD JIMMY ALLEN ET UX	LEDFOORD JEWEL T	1,665.95
171218-30-1131	LEE TAMMY LYNETTE		82.50

**2023 Delinquent Real Property Tax List as of 1/30/24**

Prop/Parcel	Owner Name	Owner Name2	Tax Prin Balance
170118-31-7000	LEGACY TRAIL LLC		400.35
171217-02-1335	LEWIS BRENDA REESE	HENSLEY JANICE REESE	857.51
170110-35-8932	LEWIS CHRISTOPHER G. B.		277.86
171106-38-1593	LEWIS JONATHAN 3/4 INT.	CLARENCE & GROVER 1/8 EAC	154.00
170219-71-2351	LEWIS MICHAEL LEE		241.23
171217-12-4347	LINDSEY FRANCES RUMFELT		114.18
170114-33-9242	LINDSEY JAMES E		149.38
170118-42-0412	LINDSEY JAMES E		237.88
170112-85-3075	LINVILLE FALLS GENERAL STORE		949.14
170114-23-9145	LITTLE CALVIN DEWAYNE		157.69
079200-97-7158	LITTLE STRAND LLC		1,208.35
170114-32-6834	LOGAN DAVID RAY (LIFE EST)		256.30
170114-32-0861	LOGAN LEO JR (DECEASED)	LOGAN ALICE (LE)	195.39
170108-98-6158	LONG IRA ET UX	LONG MARY R	357.53
170217-11-7290 215	LONG JENNIFER DEIDRA	BIGGS JENNIFER DEIDRA AKA	189.59
170114-33-9307	LONG WILLIAM E SR &	LONG HARRIETT C	55.00
170217-11-7290 109	LONG WILLIAM TODD		187.44
170114-33-8367	LONG WM E SR	LONG HARRIETTE	158.26
171105-28-3995	LOPEZ JOSE PORFIRIO AND WIFE	CRUZ NEREIDA AGUIRRE	137.50
171105-28-3945	LOPEZ PEDRO	LOPEZ BRENDA	364.87
079200-95-8078	LOVE JANET L		654.50
170220-90-8350	LOVETT JACLYN ELISE	ROEBKE JON PAUL	13.75
170110-35-0999	LOWERY RONNIE DERON	LOWERY CYNTHIA LOUISE	276.98
171109-15-0925	LOWERY RONNIE DERON		147.35
170110-37-6014	LUNSFORD SHELBY JO	HURLEY MEGAN IDA ELSIZABETH	182.00
170118-32-0109	LYNCH JAMES DEXTER		204.55
171105-19-4597	MACE EDNA WOODY ET AL		154.00
170110-36-5985	MACE JEFFERY DEWAYNE		88.00
170110-37-5090	MACE JEFFERY DEWAYNE		249.48
170114-32-3719	MAGANA BULMARIO	MAGANA MELANIE	355.85
171109-06-4401	MAGANA HERIBERTO MAGANA		116.88
170114-33-8687	MAKUPSON HOPE		363.06
170111-65-2868	MARCUS JUSTINE J		700.92
171105-09-9749	MARION STORAGE SOLUTIONS LLC		962.67
171105-19-0446	MARION STORAGE SOLUTIONS LLC		1,550.01
171105-19-1597	MARION STORAGE SOLUTIONS LLC		2,617.89
171217-12-3293	MARRS JERED BRANDON	MARRS LEANNE M	311.25
171218-30-6055	MARTIN BRENDA		177.49
170118-32-2176	MARTIN KIMBERLY DAWN 1/2 INT	MILLER PEARL M 1/2 INT	233.75
170118-41-4851	MARTINEZ ELVIN FERNANDO		349.18
171109-15-7021	MARTINEZ ISAIAS		181.08
170219-60-0027	MATHIS AMANDA		435.38
171213-02-1769	MATHIS EDDIE LEE		39.33
170110-37-8211	MCCORMICK LINDA F (DECEASED)		323.68
170005-07-3923	MCFALLS PATRICIA MCKINNEY		256.69
170005-07-5921	MCFALLS PATRICIA MCKINNEY	MCFALLS EDWARD GILBERT JR	66.88
171109-17-8004	MCKINNEY PATRICIA RUMFELT		233.92
171217-12-5083	MCKINNEY TERRY HUGHES		126.78
171217-12-6046	MCKINNEY TERRY HUGHES		436.21
170217-11-7290 104	MCKINNEY TONI L		155.05
171217-10-2826	MCKNIGHT NITA ELIZABETH	SCHRANK ALEXANDRA ELIZABETH	211.04
170112-96-3406	MCPETERS FRANCES J		430.05
170111-66-7975	MCQUEEN828 LLC		954.53
171213-12-9767	MCTAGGART KAREN A		254.16
170114-44-1081	MEANS IMOGENE		45.20
171113-23-2729	MEARES JENNIFER M		1,498.20
170112-76-8389	MEEK RACHEL L		137.50
170112-76-9440	MEEK RACHEL L		541.37
170220-90-3391	MESSINA MARY ANN		440.44
171105-09-0088	MILLER GABRIEL PAUL		385.55
170113-22-3825	MOORE GUY (DECEASED)	HOOPER ARTHUR	256.01
171106-29-8166	MOORE MONICA HOPE		191.50
171106-38-3334	MORALES TORIBIO ET UX	CORTEZ CECILIA O.	207.08
171113-14-4666	MORALES TORIBIO ET UX	CORTEZ CECILIA	137.50
170110-45-0366	MORALES TORIBIO RENTERIA	AND WIFE CECILIA O CORTEZ	335.61
170217-11-7290 106	NEAL JAMES E III	NEAL CYNTHIA DIANE	150.76
170217-11-7290 101	NEAL JAMES E. III	NEAL CYNTHIA D.	150.76
170220-80-8155A	NELSON VICKEY OWENS &	NELSON HAROLD E	194.37
171106-29-5231	NORWOOD JODIE NICHOLE AKA	BARTLETT JODIE	163.54

**2023 Delinquent Real Property Tax List as of 1/30/24**

Prop/Parcel	Owner Name	Owner Name2	Tax Prin Balance
171106-29-5350	NORWOOD JODY WALDROUP		154.50
170220-80-2059	O'BUCKLEY MATTHEW JARED		1,312.47
170112-85-9649	O'CONNER PROPERTIES LLC		585.59
171106-29-8489	OCHOA VICTORIA HUNTER (JTROS)	OCHOA JESUS MANUEL (JTROS)	154.66
170108-88-4167	ORELLANA IRAHETA JOAQUIN A		422.29
171218-30-4004	OTERO ERASTO GARCIA		675.73
171109-16-4586	OWENSBY CHARLES (DECEASED)	OWENSBY MARY J (DECEASED)	220.00
170108-98-7802	PACKER FRANCES CAIN		315.29
171109-16-4475	PAIGE MICHAEL		432.41
170220-90-5723	PAINTER BOBBY DEAN (DECEASED)		191.38
170112-76-8318	PAINTER IRENE		416.90
170217-11-7290 219	PARKER ARTHUR MICHAEL JR	FOX SHEVIA PARKER	214.94
170114-23-9290	PATTERSON LESTER S JR	PATTERSON MARY R	110.00
170114-33-1910	PATTERSON LESTER S JR	PATTERSON MARY R	55.00
171213-12-7723	PEREZ ALEJANDRO		82.50
170108-88-5798	PEREZ MARIA A	PEREZ JESUS ANTONIO JTWRs	291.34
171213-22-2983	PEREZ NICEFORO MAYA		70.13
171105-29-3916	PERNA HEIDI L	PERNA STUART	264.88
171105-18-9651	PHELPS ANDREW	PHELPS STEFANIE	1,324.57
171218-20-8716	PITTMAN FRANCES L		302.83
170107-69-1619	PLESS J WILL JR HEIRS		220.00
170118-21-8933	PORTER JOHN R.	PORTER LUCRETIA M	179.96
171217-00-3513	POTEAT GARY	POTEAT LOIS S	236.62
170110-35-3860	PRESNELL TERRY LEE		282.92
171213-03-3280	PRICE ROBBIE		439.29
170111-66-5531	PRICE SCOTT MAURICE AND WIFE	PRICE MELISSA G	873.90
170201-05-2005	PRICE SCOTTY M DBA	PRICE PROP AND INV (1/4 ) ETAL	1,348.38
171217-12-3400	PROCTOR BESSIE R		92.57
171109-16-9778	QUERIAPA JOSE LUIS GABRIEL	GARCIA LECO GUADALUPE	418.28
170220-91-8061	RAMIREZ JOSE MARIO CARREON		1,267.70
171217-11-7959	RAMIREZ JUAN JOSE PULIDO		260.10
170217-11-7290 224	RAMSEY DIANNE AKA	NEAL DIANNE	217.09
171105-18-4088	RANDOLPH ROBERT S.		348.98
171217-01-1405	RANDOLPH TERRY WAYNE		206.17
171105-28-0232	RAY DAVID	RAY MARTHA, TENANTS IN COMMON	281.71
170219-70-0088	RAYBURN TIMOTHY C	RAYBURN SUSAN E	82.50
170112-86-7772	REEL JOHN		247.09
171105-09-3062	REEL KIMBERLY WINCHESTER		313.61
171105-17-4991	REITZEL RENEE WALDEN	REITZEL LARRY LEON JR	137.50
171105-17-5985	REITZEL RENEE WALDEN	REITZEL LARRY LEON JR	401.94
171105-17-6944	REITZEL RENEE WALDEN	REITZEL LARRY LEON JR	155.65
170217-11-7290 221	REO ACCEPTANCE CORP II LLC		217.09
079012-97-8057	REVIS BILLY KEVIN		859.76
170111-56-9575	RFB PROPERTIES LLC		165.00
170111-66-0506	RFB PROPERTIES LLC		582.07
170111-66-6013	RFB PROPERTIES LLC		1,438.64
170110-35-6885	RICH CHARLOTTE ANN		145.70
171217-10-7624	RIDDLE JONATHAN		111.93
171218-20-6208	RIVERA EDUARDO MORALES AND	JIMENEZ ALVAREZ ELIZABETH	1,164.35
171218-31-1061	RIVERA-NICOLAS PATRICIA AMALIA		41.25
170203-22-1615	ROAMING BUFFALO		2,273.43
170108-88-5920	ROBINSON FREDDIE R		1,132.12
170203-40-7048	ROBINSON LYNN		337.51
170112-85-1444	ROBINSON MARK		398.20
170108-99-0274	ROBINSON ROBERT	ROBINSON LAURA	451.66
171113-14-1566	RODRIGUEZ VICTOR		303.38
171105-19-7604	ROJAS CECILIO PAVON		171.11
171218-30-7058	ROMERO LUIS 1/2 INT	ETHEL ROSE HEIRS 1/2 INT	204.11
170114-42-2815	ROMERO MARIA DE LOS ANGELES		66.00
170112-96-1853	ROPER MARGARET LEE	AKA PROCTOR	442.86
171217-12-0415	ROSE LISA LYNETTE		327.64
171217-12-0464	ROSE LISA LYNETTE		82.50
170106-49-3120	ROSENBLDT DANIEL J	TRUSTEE ROSENBLDT TRUST	1.29
170110-36-5146	ROWE CINDY		455.07
170111-66-7993	RUEL CINDY	FLETCHER MATTHEW	682.94
170220-91-5063	RUEL CINDY		479.22
170112-87-5387	RUMFELT CHRISTOPHER H.		462.28
171002-67-6033	RUMFELT LINTRICIA DAWN		612.04
170220-80-4143	RUMFELT LINTRICIA W		319.44

**2023 Delinquent Real Property Tax List as of 1/30/24**

Prop/Parcel	Owner Name	Owner Name2	Tax Prin-Balance
171109-05-3558	RUTHERFORD MARY H HEIRS		137.50
170114-43-3936	RUTHERFORD MELVIN	RUTHERFORD ALBERTIA	183.43
170118-22-8003	RUTHERFORD MELVIN	RUTHERFORD ALBERTIA	620.51
171109-17-7181	SANCHEZ ANALINDA JUAREZ		384.29
171105-29-3852	SANCHEZ NICOLAZA		135.37
171217-20-3340	SCHMALZ TINA M		420.20
170114-42-0783	SCHWANIGER F G PROPERTY 91-04		88.00
170114-43-5994	SCHWARTZ ERIC C	HICKMON HELEN	256.47
170217-11-7290 225	SEAGLE GEORGE CLIFFORD		217.09
170107-58-5410	SEARS RAY (DECEASED)		165.00
170107-58-5349	SEARS RAY N & RONNIE (DECEASED)		165.00
170114-33-6897	SHADE GENEVIEVE 99%	GARDIN WILLIAM MORRIS 1%	323.13
170112-95-4879	SHARICATA CAMILO GUERRERO		269.78
171217-00-7895	SHEPARD WILLIAM A		300.91
170110-36-0698CT001	SHERLIN EDWARD		110.00
170110-36-3632CT001	SHERLIN EDWARD		27.50
170220-80-1149	SHOOK STEVEN WESLEY	SHOOK DONNA SATTERFIELD	187.06
170118-22-8374	SIERRA ROBERTO	SIERRA JUANA I	467.39
170111-66-5716	SILVER RHONDA L	SILVER FRANK D	1,574.60
170112-86-9491	SIMPSON CHARLES H (DECEASED)		352.94
171217-12-0364	SIMPSON DEBRA LYNN		273.30
171217-00-4816	SISK KRISTI LYNN		1,080.86
171106-29-8700	SISK SHARON E		531.41
171105-19-6150	SKEENS JIMMY (DECEASED)		211.26
170112-96-6787	SMITH PATRICIA BARNES		561.17
170112-96-7723	SMITH PATRICIA LEAH BARNES		137.50
170110-27-9293	SMITH RICHARD D ET UX	SMITH ALMA	420.86
170217-11-7290 108	SMITH STACY R	SMITH KENNETH R	152.90
170217-11-7290 217	SMITH STACY R		189.59
171213-12-1665	STEVENS LARRY WAYNE ET UX LE	STEVENS SANDRA PITTMAN LF EST	495.66
171213-12-0683	STEVENS LARRY WAYNE ET UX (LE)	STEVENS SANDRA PITTMAN /LF EST	293.48
171213-12-1747	STEVENS LARRY WAYNE ET UX (LE)	STEVENS SANDRA PITTMAN (LE)	1,002.43
171105-09-5301	STINES ANNETTE MCKINNEY	STINES THOMAS EDWARD	185.63
171218-20-5044	SUTTLES THURMAN C (DECEASED)	SUTTLES MILDRED	157.58
171218-20-7484	SWEENEY JULIE RENEE ET VIR	SWEENEY MICHAEL DWAYNE	805.81
171114-32-0734	TALAVERA SEBASTION QUERIAPA		445.01
171217-11-8656	TAYLOR FRANCES (DECEASED)		287.87
171106-48-5396	TEBALAN HERRERA JOEL	MORALES LOPEZ GLORIA N	137.50
171106-48-5482	TEBALAN HERRERA JOEL	MORALES LOPEZ GLORIA N	220.00
171109-16-9514	TH AND DH PROPERTIES LLC		369.00
171213-22-2714	TH AND DH PROPERTIES		440.00
171213-22-3617	TH AND DH PROPERTIES		110.00
171213-22-3748	TH AND DH PROPERTIES		270.16
171105-27-2941	TH AND DH PROPERTIES LLC		298.21
171217-11-0836	THE GIVENS ESTATES INC		46.96
170108-89-3264	THOMAS ERVIN M (DECEASED)	THOMAS IVA B(DECEASED)	542.63
171105-09-7452	THOMAS LATISHA HARRIS		363.39
171105-19-5679	THOMAS MARY JEAN		178.48
170112-97-5300	THOMAS MICHAEL C & HANNAH		82.50
170110-46-4641	TRIPLETT ALBERT JAMES		308.88
171106-29-7756	TURNER CHRISTINE (DECEASED)	TURNER DWAYNE	268.13
171106-48-1488	TURNER LORA		137.50
079012-96-4201	TWP PCP MARION RETAIL LLC		2,813.75
170111-67-7162	V & S OF MCDOWELL COUNTY INC		840.62
171105-29-0131	VALDEZ MANUEL		860.59
171218-20-9161	VALENTINE CLAY ALLEN		118.31
171218-30-0257	VALENTINE CLAY ALLEN		199.21
171106-48-3947	VELARDE JOSE ALBERTO RICO		151.80
170108-89-8359	VESS CECIL HOWARD JR & LOUISE H	VESS BARBARA CHRISTINE 1/2 INT	66.00
170108-89-8428	VESS RUSTY SHANE	VESS MEAGAN COOPER	417.51
171109-15-5113	WASHINGTON JOSEPH FARRAKHAN		1,049.69
171109-15-6005	WASHINGTON JOSEPH FARRAKHAN		110.00
170114-33-2131	WASHINGTON RADA S TRUSTEE	YOUNG BELINDA S TRUST	294.80
170112-95-8648	WATRING PAMELA DENISE ET VIR	HOYLE DUSTIN LINN	1,277.71
170112-95-8697	WATRING PAMELA DENISE ET VIR	HOYLE DUSTIN LINN	137.50
170115-63-6820	WEAVER AUDREY FOWLER,SEPARATED		1,186.30
171113-14-6680	WEBB CHRYSTAL RENEE		154.00
171113-14-6695	WEBB CHRYSTAL RENEE		299.97
171113-14-7619	WEBB CHRYSTAL RENEE		137.50

**2023 Delinquent Real Property Tax List as of 1/30/24**

Prop/Parcel	Owner Name	Owner Name2	Tax Prin Balance
171113-14-7723	WEBB CHRYSTAL RENEE		110.00
170107-68-8187	WEBB DEBRA FAYE(L/E)		264.74
170107-68-7600	WEST ANNE S		753.01
170110-46-5474	WEST COURT FOOD CENTER		1,444.58
170110-46-4385	WEST COURT FOOD CENTER INC		552.20
170110-46-6395	WEST COURT FOOD CENTER INC		571.56
170110-37-8084	WESTMORELAND LEIGHANN		238.70
170217-11-7290 103	WESTWOOD CHATEAU CONDOS ASSOC		152.90
170217-11-7290 111	WESTWOOD CHATEAU CONDOS ASSOC		187.44
170217-11-7290 222	WESTWOOD CHATEAU CONDOS ASSOC		217.09
171217-01-3060	WILKERSON KIMBERLY SURRETT		413.93
171113-14-1242	WILLIAMS CHRISTOPHER NEIL &	WILLIAMS TANYA GRANT DBA W D	311.25
171113-14-2115	WILLIAMS CHRISTOPHER NEIL &	WILLIAMS TANYA GRANT DBA W D	137.50
171106-28-6910	WILLIAMS DIANA FERGUSON	WILLIAMS LEONARD CHARLES	735.30
171213-22-3679	WILLIAMS FAYE	WILLIAMS JERRY LEE	110.00
171105-28-4753	WILLIAMS HEATHER LYNN		369.44
171218-20-9017	WILSON CHARLES D		129.93
170112-96-0064	WILSON NATHAN A TRUST 2/3 INT	MOSLEY KATIE 1/3 INT	275.00
170112-96-0185	WILSON NATHAN A TRUST 2/3 INT	MOSLEY KATIE 1/3 INT	414.48
171105-19-3621	WOODY EUGENE (DECEASED)	WOODY FRANCES	170.50
171105-19-4608	WOODY FRANCES ORR & MARY W		82.50
171105-19-4509	WOODY RONALD EUGENE (DECEASED)		283.57
170108-88-9517	WRIGHT JOYCE PRESSLEY		309.43
171105-19-8841	WRIGHT NATHAN	WRIGHT BRITTANY MCINTOSH	245.69
170112-87-2695	WYATT RICHARD ALLEN		154.00
170201-05-3054	YELTON CASEY TAYLOR		262.41
			<b>205,154.22</b>



**C. Adoption of Resolution Directing Clerk to Investigate a Petition for Annexation – Valley Street/Whitson Property**

**RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION  
RECEIVED UNDER G.S. 160A-31 – VALLEY STREET/WHITSON PROPERTY  
– 2024**

WHEREAS, a petition requesting annexation of an area described in said petition was received on January 25, 2024 by the City of Marion; and

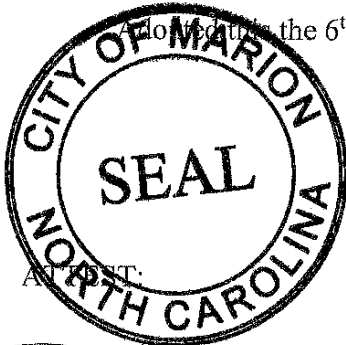
WHEREAS, 160A-31 provides that the sufficiency of the petition shall be investigated by the City Clerk before further annexation proceedings may take place; and

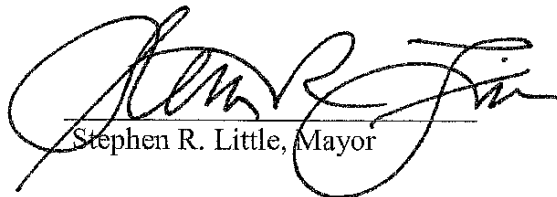
WHEREAS, the City Council of the City of Marion deems it advisable to proceed in response to this request for annexation;


NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marion that:

The City Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the City Council of his investigation.

Adopted on the 6<sup>th</sup> day of February, 2024.



  
Stephen R. Little, Mayor

  
J. Robert Boyette, City Manager/Clerk

**RESOLUTION NUMBER: R-24-02-06-1**

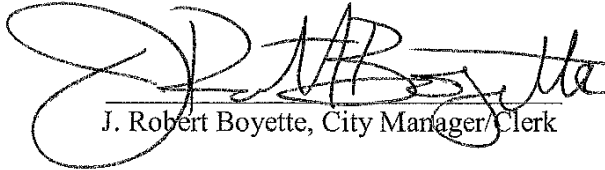
**D. Receive Certificate of Sufficiency – Valley Street/Whitson Property Annexation Request**

**CERTIFICATE OF SUFFICIENCY – VALLEY STREET/WHITSON PROPERTY - 2024**

To the City Council of the City of Marion:

I, J. Robert Boyette, City Manager/Clerk, do hereby certify that I have investigated the petition attached herein and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with G.S. 160A-31.

In witness whereof, I have hereunto set my hand and affixed the seal of the City of Marion this the 6<sup>th</sup> day of February, 2024.



J. Robert Boyette, City Manager/Clerk

**E. Adoption of Resolution Fixing the Date of Public Hearing on the Question of Annexation – Valley Street/Whitson Property**

**RESOLUTION FIXING DATE OF PUBLIC HEARING  
ON QUESTION OF ANNEXATION PURSUANT TO  
G.S. 160A-31 – VALLEY STREET/WHITSON PROPERTY – 2024**

WHEREAS, a petition requesting annexation of the contiguous area described herein has been received; and

WHEREAS, the City Council has by resolution directed the City Clerk to investigate the sufficiency of the petition; and

WHEREAS, certification by the City Clerk as to the sufficiency of the petition has been made;

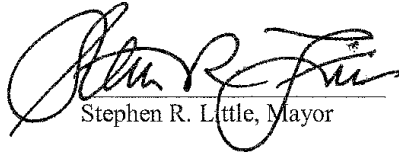
NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Marion, North Carolina:

Section 1. A public hearing on the question of annexation of the contiguous area described herein will be held at the Marion Community Building, located at 191 North Main Street in Marion, at 6:00 P.M. on Tuesday, March 5, 2024.

Section 2. The area proposed for annexation is described as follows:

**BEING** all of Tract Six of that property conveyed to Whitson Properties, LLC, by that deed recorded in Book 1098 at Page 905, McDowell County Registry, which is more particularly described by metes and bounds as follows: **BEGINNING** at an iron stake in the East margin of Hill Street at the Northeast corner of Lot No. 23 and the Northwest corner of Lot No. 24 in Block C of the Villa Vista Subdivision, according to map of same recorded in Map Book 1 at Page 161, of the McDowell County Deed Records, and runs thence South 2 degrees East 150 feet to a stake; thence North 88 degrees East 50 feet to a stake; thence North 2 degrees West 150 feet to a stake in the East margin of Hill Street; thence with Hill Street South 87 degrees 56 minutes West 50 feet to the **BEGINNING**, and being a portion of Lots Nos. 24 and 25 in Block C of the Villa Vista Subdivision.

**Adopted** this the 6th day of February, 2024.

  
Stephen R. Little, Mayor

ATTEST:  
  
J. Robert Boyette, City Manager/City Clerk

**Resolution Number: R-24-02-06-2**



## **F. Adoption of Personnel Policy Amendment**

### **City of Marion Personnel Policy Amendment**

The Personnel Policy of the City of Marion, as adopted on June 15, 2021, is hereby amended as follows:

Section 1. Article V, Conditions of Employment, Section 5. Employment of Relatives is amended by deleting it in its entirety and replacing it with the following:

The City prohibits the hiring and employment of immediate family in full-time positions within the same work unit if such employment would result in one family member supervising another or if one member will occupy a position of influence over another member's employment or any condition of employment. Examples of potential influence include but are not limited to hiring, promotions, salary administration and disciplinary action. Members of an immediate family shall not be employed in a full-time capacity in the same division at the same time.

For the purposes of this Article, immediate family shall be defined as spouse, child, parent, guardian, sibling, grandparent, grandchild, aunt, uncle, niece and nephew, to include in-law, step and half relationships. The definition for this Article also includes individuals living in the same household who share a relationship comparable to immediate family members. No member of any employee's immediate family shall be hired without prior approval of the City Manager.

The City also prohibits the employment of any person into a position who is an immediate family member of individuals holding the following positions: Mayor, City Council Member, City Manager, City Attorney, Finance Director, Human Resources Director, Human Resources Administrator, or City Clerk.

Other circumstances may also prohibit the hiring of family members. Otherwise, the City will consider employing family members or related persons in the service of the City, provided that such employment does not:

- a) result in a relative supervising relatives;
- b) result in a relative auditing the work of a relative;
- c) create a conflict of interest with either relative and the City;  
or
- d) create the potential or perception of favoritism.

Romantic relationships between an employee and a direct or indirect supervisor or subordinate of that employee are prohibited. If such a relationship develops, the employee(s) shall notify the department director or City Manager and will be given thirty days to find approved, alternative employment within the City.


This provision shall not apply retroactively to anyone employed when the provision was adopted by the City.

Section 2. This amendment shall be effective February 6, 2024.

Adopted this the 6<sup>th</sup> day of February 2024.



ATTEST:

  
Stephen R. Little  
Mayor

  
J. Robert Boyette, City Manager/Clerk

**Policy Number: P-24-02-06-1**

### **PUBLIC COMMENT PERIOD**

No one signed up for public comment during this meeting.

## **APPROVAL OF CONTRACT FOR ENGINEERING SERVICES FOR LEAD AND COPPER RULE REVISION COMPLIANCE PROGRAM**

Public Works Director Brant Sikes stated that at the January 16, 2024 Council meeting, Council had approved the selection of Kimley-Horn as the most qualified firm to provide engineering services for the Lead and Copper Rule Revision Compliance Project. Following that approval, staff had requested and received a proposed agreement for professional services from Kimley-Horn. Mr. Sikes presented Council with the proposed contract and advised that it had been reviewed by City staff.

Mr. Sikes stated that he would like to bring Council's attention to some items in the agreement, namely that the project was broken into two phases because information from the first phase was needed to accurately estimate the scope of work and cost of the second phase. The work of Phase 1 included developing a preliminary lead service line inventory, revising the City's sampling and monitoring plan, and providing a service line reverification strategy plan workshop. Mr. Sikes said that the deliverable of Phase 1 would be a validation plan that would be executed during Phase 2 to determine how much lead is in the City's infrastructure and how to replace any lead found.

Mr. Sikes then pointed out that the agreement before Council was only for Phase 1 and that an agreement to complete Phase 2 would be negotiated toward the completion of Phase 1. He then stated that the goal was for Phase 1 to be completed by June 2024 at a cost of \$62,050. Mr. Sikes said that the City would not be responsible for that entire amount, as the City had received Bipartisan Infrastructure Law funding up to \$495,800 to assist with costs such as this one. He went on to say that the costs of the Kimley-Horn work would be a loan with sixty percent forgiven and forty percent payable at zero percent interest. Under those terms, the City would only pay forty percent of the total \$62,050 cost of Phase 1, or \$24,820, with zero percent interest. Mr. Sikes stated that Phase 2 would include submission of the actual required inventory by the October 16, 2024 deadline mandated by the Environmental Protection Agency (EPA). Mr. Sikes advised Council that staff believed the Kimley-Horn contract contained everything needed to complete the scope of work at a fair and reasonable rate, and he asked for Council's approval of the contract.

Council Member Ramsey asked how far Kimley-Horn would investigate private lines, and Public Works Director Sikes replied that the firm would scope from the meter all the way to the buildings.

Council Member Effler asked if every structure in the City would be checked, and Mr. Sikes responded that there were different methods of testing approved by the EPA, including mailing letters and/or testing kits to homeowners to ask them to do research or to test the pipes themselves as well as "potholing," which is hydropneumatic excavating on either side of the meters, which Kimley-Horn would do.

Council Member Effler asked if Mr. Sikes believed lead would be found. Mr. Sikes replied that he had no reason to believe there would be much lead found in the public infrastructure; however, he could not speak to what would be found in privately-owned property.

Council Member Harkey asked what would happen if the City did not hear back from homeowners after the mailings and kits were sent out, and Mr. Sikes stated that the City could not force homeowners to provide the information and could only hope that the City gets as much information as possible from the requests.

Council Member Effler asked if home inspectors would start to look for lead and copper piping following the study and if this could potentially become a barrier to future real estate sales in the City. Mr. Sikes did not believe it would become a barrier and asked Planning and Development Director Heather Cotton to provide her opinion. Ms. Cotton agreed with Mr. Sikes that she did not believe it would become a barrier. She went on to say that the City's permitting process could be one way for inspectors to continue to learn whether there is any lead or copper piping in City structures, but she did not think the study would impact real estate. Because the EPA program is a nationwide mandate, Ms. Cotton believed that the City's real estate sales would not be adversely affected.

Mr. Sikes added another point of consideration for Council, which was that the EPA's current definition of a lead line does not include lead goosenecks. Mr. Sikes said City infrastructure does include cast pipes and lead goosenecks, so that would be something to be aware of should the EPA's definitions change in the future.

Upon a motion by Council Member Martin, seconded by Council Member Ramsey, all Council Members present voted to approve the Kimley-Horn contract for Phase 1 of the project to provide engineering services for the EPA Lead and Copper Rule Revision Compliance Program.

### **APPROVAL OF ADVERTISEMENT OF UNPAID 2023 REAL PROPERTY TAXES**

Finance Director Dawn Penland stated that, as indicated in the Memorandum provided to Council in the Agenda packet, the City must advertise unpaid real property taxes for the current year at least once between March 1 and June 30. Ms. Penland recommended that Council authorize staff to run the advertisement of delinquent 2023 real property taxes in the McDowell News on Tuesday, March 19, 2024.

City Manager Bob Boyette asked Ms. Penland if McDowell County was also running its tax advertisement on March 19<sup>th</sup>, and Ms. Penland replied that since McDowell News no longer printed on Wednesdays, the delinquent tax advertisements would generally always be run on the third Tuesday in March by both the City and the County.

---

## INTEROFFICE MEMORANDUM

---

**TO:** MAYOR AND CITY COUNCIL  
**CC:** BOB BOYETTE, CITY MANAGER  
**FROM:** DAWN PENLAND, FINANCE DIRECTOR  
**SUBJECT:** UNPAID 2023 REAL PROPERTY TAXES  
**DATE:** JANUARY 30, 2024

---

As stated in G.S. 105-369(a), the Municipal Tax Collector must report to the governing board the total unpaid 2023 taxes that are liens on real property.

As of this date, the amount of unpaid 2023 property taxes is \$ 205,154.22

In addition, G.S 105-369(c) states the Municipal Tax Collector must advertise tax liens at least once between March 1 and June 30. With Council's permission, we would like to set this date as Tuesday, March 19, 2024

Upon a motion by Council Member Ramsey, seconded by Council Member Effler, all Council Members present voted unanimously to approve the City's advertisement of 2023 delinquent taxes on Tuesday, March 19, 2024.

### **CITY MANAGER'S REPORT**

#### **Retail Sales**

City Manager Bob Boyette stated that taxable retail sales in McDowell County for November, representing October sales, were the highest month ever at \$54,566,036, and more importantly a 13.39 percent increase over the same time period in 2022-23.

Manager Boyette went on to say that in the first five months of the 2023-24 Fiscal Year, retail sales in McDowell County have increased by 4.79 percent over 2022-23, while retail sales in North Carolina have grown by 3.09 percent over the same time period. He said that this is continued good news regarding our local economy, which will hopefully continue to grow in the coming months.

#### **New City Hall Renovations**

Manager Boyette announced that the Administration, Finance, and Human Resources Departments were now fully moved into the new city hall building. He said there were a few final touches to complete, but the transition went very well. He expressed his appreciation again to Planning and



Development Director Heather Cotton and the Public Works Department for all of their assistance with the move. Manager Boyette also expressed appreciation for all of the staff who moved into new offices in the new City Hall Building and those who transitioned into different offices in the Annex.

### **Flooding Event**

Manager Boyette provided an update on the January 9, 2024 flooding event. He said that most of the damage sustained was to the sewer system, and the Catawba River Greenway also had to be cleaned. The City's total damages were \$54,000. The City worked with McDowell County Emergency Services Director Will Kehler to compile the countywide damages, and the total was approximately \$104,000, which was only half of the federal and state threshold for financial assistance. Manager Boyette stated that although not meeting the threshold would mean less administrative burden on staff, the costs are an unbudgeted expense for the City. Manager Boyette again expressed his appreciation to staff, especially Public Works, for all of their work during that event.

### **Property Foreclosure**

Manager Boyette reported that the City had completed the tax foreclosure on the former Owensby property at 503 Baldwin Avenue. Per the agreement of Council at the January 16, 2024 Council meeting, Manager Boyette had spoken with Neil Gurney of the Gateway Foundation to see if the foundation would like to purchase the property for the purpose of building a home, and Mr. Gurney had expressed interest as long as there was an understanding that the foundation could not pay the entire \$28,000 outstanding tax bill on the property. Manager Boyette said he conveyed to Mr. Gurney that a token amount that would cover the amount that City was not paying back to itself for the property would be appreciated. Mr. Gurney advised Manager Boyette that the foundation would review the opportunity and get back to the City with a decision.

### **Street Light Request**

Manager Boyette said he had received a request from Council Member Martin on Monday, February 5<sup>th</sup>, for consideration of placing a streetlight near the intersection of Catawba Street and East Hudgins Street. Manager Boyette said that the Police Department had looked at that intersection and determined that further research would be justified. Manager Boyette asked Council's approval to have the Street Committee review the request and make a recommendation back to Council. Council approved the request, and Manager Boyette advised that he would schedule the review and get back to Council.

### **February 19, 2024 Planning Session Item for Discussion**

Manager Boyette asked if there were any questions, and Council Member Effler asked if Council could review ordinances from other cities regarding vagrancy and solicitations of money at the planning session on Monday, February 19<sup>th</sup>. Manager Boyette said that some research had been done on that request, and he would add that item to the topics of discussion at the planning session. Manager Boyette reiterated that the February 19<sup>th</sup> session would be for planning purposes only, and there would be no votes or final decisions affecting the public.

Mayor Pro Tem Ayers thanked Manager Boyette and suggested that Council Comments follow due to the fact that the auditor had not yet arrived.

## **CITY COUNCIL COMMENTS**

Council Member Effler again thanked City staff, especially Public Works for handling all of the issues that had arisen in the last couple of months. He then expressed appreciation to all City staff for what they do.

Council Member Harkey shared that earlier that morning, a white SUV had pulled up on Veterans Drive Extension in front of the home of Jim and Connie Burgin, dropped off two puppies, and left. Connie Burgin went down to the road, picked up the puppies, and put them in her screened porch. Council Member Harkey helped with contacting the Mercy Fund Animal Rescue, and they were able to get the puppies to the shelter that day. Council Member Harkey said the puppies would hopefully be put up for adoption soon, so the story had a happy ending.

Council Member Ramsey invited members of Council to attend the Black History celebration on February 17<sup>th</sup> at 5:00 p.m. at McDowell Technical Community College. Council Member Ramsey also said that he does not always commend City staff because they were always commendable in his mind; however, in consideration of all of the problems the City has been facing in the past few weeks, he wanted to express his appreciation to City staff, especially the Police Department. He went on to say that he did not believe there was another public governing body that was as appreciative of its staff and services as those here in Marion. Mayor Pro Tem Ayers said he seconded that appreciation wholeheartedly.

Council Member Martin expressed appreciation to the City staff he saw picking up trash near West Henderson Street. Manager Boyette asked if that was City staff or possibly another volunteer group, and Public Works Director Brant Sikes said that Street Superintendent Darrin Maynor asked his crews to pick up trash whenever their workloads allowed, which was infrequent, so it could have been City staff. Council Member Martin said he was just glad to see that individuals were cleaning up the streets, and he appreciated it.

Council Member Harkey added that School Board Member Donnie Suttles had broached the subject of publicly recognizing some of the McDowell County heroes about a year ago, and she would like to discuss that at the planning session on February 19<sup>th</sup>. Council Member Harkey said that the mural that the Centro Unido Latino Americano (CULA) had commissioned on the side of Mica Town Brewery was such a breath of fresh air for the City, and she would like to see something like that to recognize local heroes. City Manager Bob Boyette said that he believed CULA had received a \$30,000 grant for that mural, and Council Member Harkey agreed that some sort of grant funding would be needed. Council Member Effler mentioned a person in Eastern North Carolina who does hero murals. Planning and Development Director Heather Cotton added that Donnie Suttles' group might want to reach out to the McDowell Arts Council because they have access to annual grant funds for art projects. Mayor Pro Tem Ayers also added that the City has a working coordination with the county school system for flags for the seniors, which he thought had worked out fantastic. Manager Boyette said that Mr. Suttles had also proposed the idea of a walk of fame. It was agreed that Council would discuss this issue further at the February 19<sup>th</sup> planning session.

## **PRESENTATION OF 2022-23 CITY AUDIT REPORT**

Finance Director Dawn Penland thanked Council and staff for their patience and understanding on this year's audit. Ms. Penland extended special thanks to Assistant Finance Director Jim Isaacs, City Manager Bob Boyette, and the ABC Board Finance Officer Harriett Thomas. Ms. Penland then introduced Dan Mullinix, partner with the City's contracted auditor, Gould Killian CPA Group of Asheville, to present the 2022-23 City and ABC Board audit reports.

Mr. Mullinix also thanked Council and staff for their patience during this year's audit process. He explained that he had broken his ankle earlier in the year and that his firm had merged with another business, both of which presented challenges. Mr. Mullinix said that his firm had been doing the City's audit for many years, and he commended Ms. Penland on her work and preparation during the audit process. He then presented the following City and ABC Board audit summaries to Council:



---

### **CITY OF MARION**

#### **2023 Annual Financial Report**

## Audit Summary

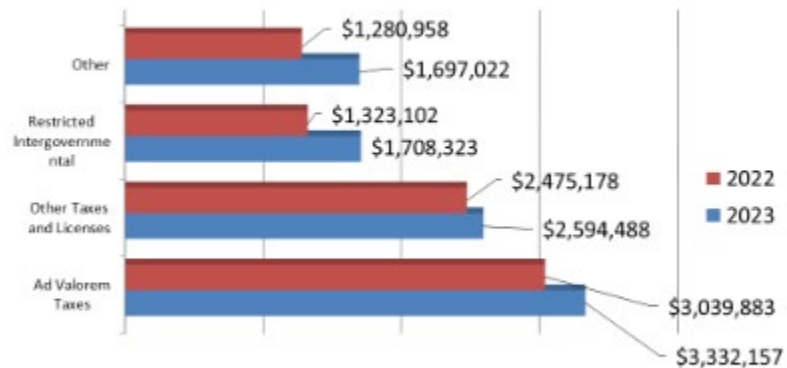
---

- Thank you for allowing us to serve as your auditors
- Special thanks to Dawn and Jim for their work and cooperation in completing the audit
- We issued an unmodified (clean) opinions; reasonable assurance that the financial statements are free from material misstatement
- We reported no material weaknesses in internal control
- We reported no material noncompliance with laws and regulations
- There was no single audit in FY23. Total federal expenditures was approx. \$704k and state grant expenditures of \$489k.

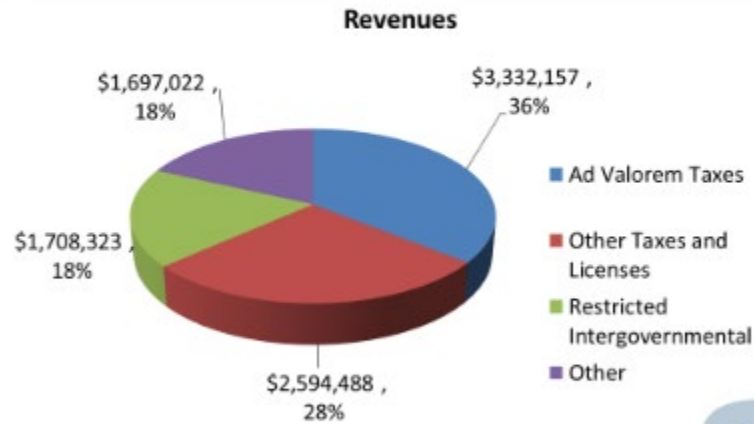


## General Fund - Revenues

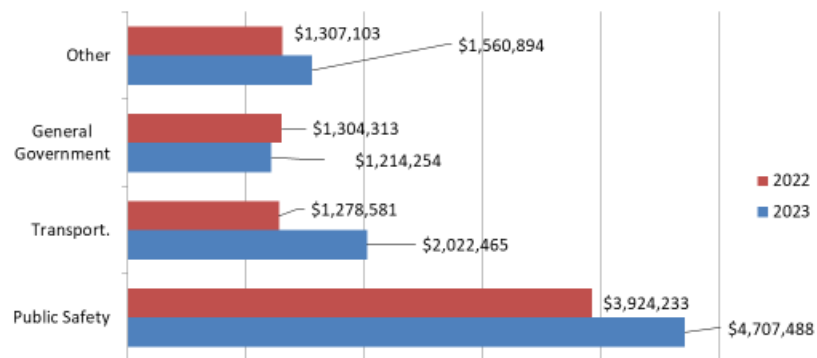
---



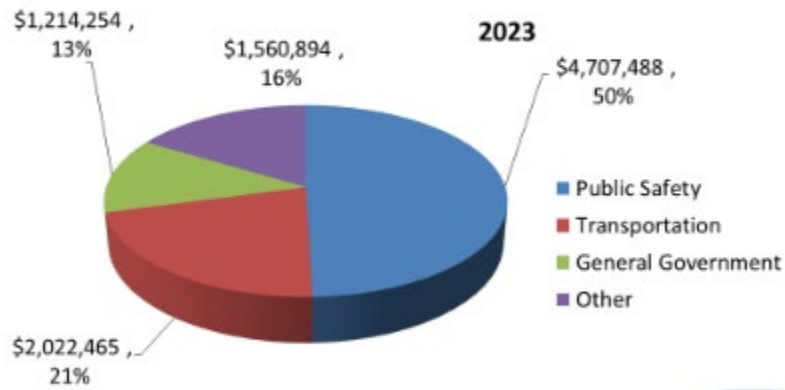
## General Fund - Revenues



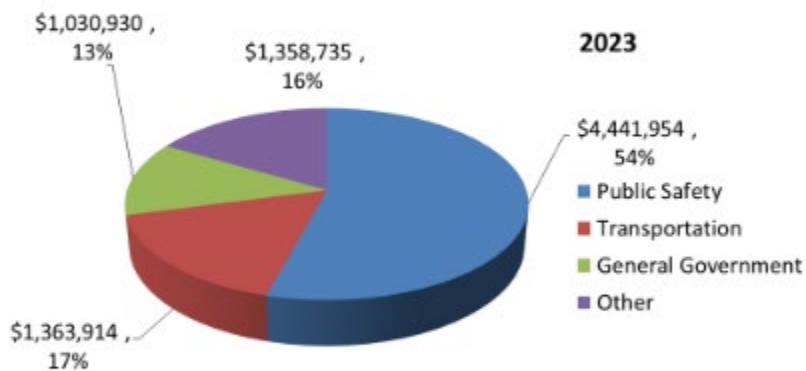
## General Fund - Expenditures



## General Fund – Total Expenditures



## General Fund – No Capital Outlay



## Major Capital Asset Transactions (all funds)

Major capital asset transactions during the year include the following:

- **As of 6/30/22:**

**Total Investment in Capital Assets (Net of Depreciation) = \$28.9M**

- **As of 6/30/23:**

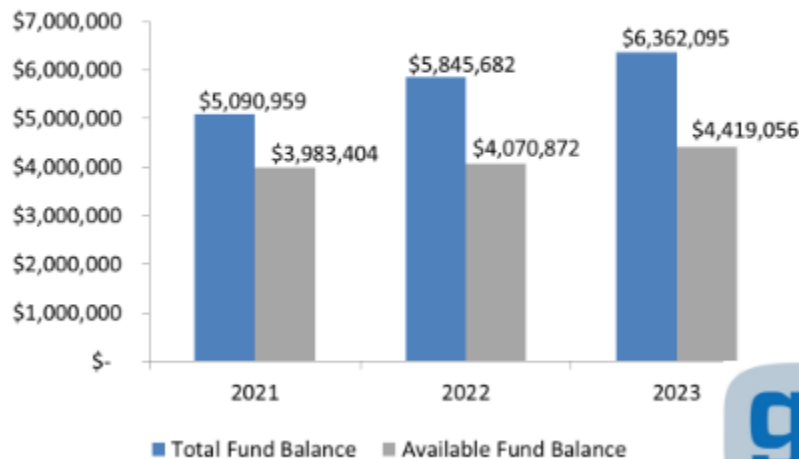
**Total Investment in Capital Assets (Net of Depreciation) = \$29.4M**

- **Major capital asset transactions in FY23 (listed on page 12 within MD&A)**

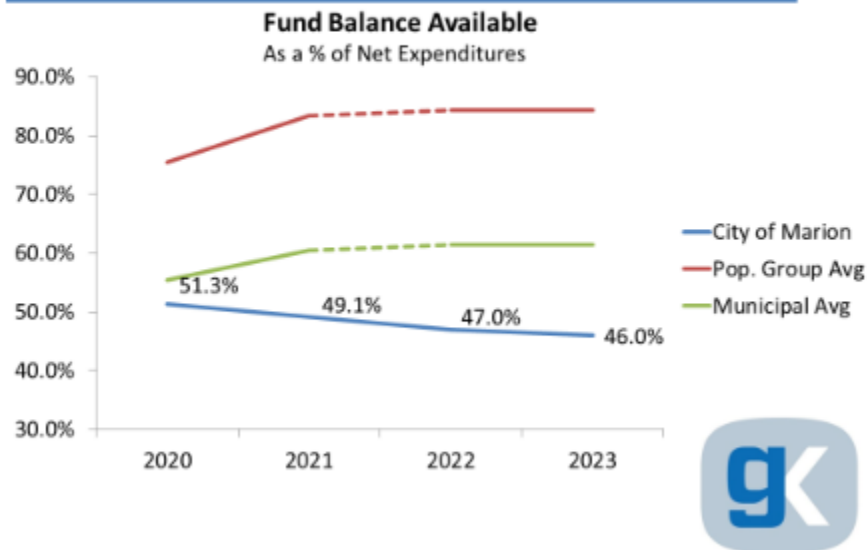
- City Hall Renovations - \$94,207
- City Hall Heating and Air Upgrade - \$46,117
- Construction on FNB/City Hall - \$ 102,780
- Completion of Lincoln Avenue Culvert - \$ 26,416
- Purchase of Planning Dept vehicle - \$ 26,637
- Purchase of 3 Police Dept vehicles - \$129,787
- Purchase of Fire Dept vehicle - \$70,499
- Completion of Public Works Shed Row Building - \$27,557
- Purchase of Street Dept CAT C Roller - \$66,623
- Purchase of Street Dept Backhoe & Loader - \$119,882
- Purchase of Street Dept Dump Truck - \$129,456
- Purchase of 2 Street Dept Vehicles - \$ 81,701
- Purchase of Sanitation Vehicle - \$ 38,413
- Implementation of Water Utility work Order System - \$ 40,440
- Replace Crawford Street Culvert \$ 357,671
- Purchase of Utility Maintenance Dept Excavator - \$ 34,098
- Upgrade of East Court Street Lines and Manholes - \$ 130,682
- Rebuild of Prison Lift Station Bar Screen - \$ 72,150
- Purchase of Water Treatment Dept Vehicle - \$ 29,609
- Construction on Clinchfield Basin - \$37,500

## General Fund Summary

**Fund Balance Available**



## General Fund Summary



## Enterprise Fund Summary

Water and Sewer Fund	2022	2023
Cash on hand	\$ 2.9 million	\$ 2.98 million
Working capital	3.0 million	2.99 million
Unrestricted net position	3.01 million	3.18 million
Operating income (loss)	(450,911)	(208,382)
Change in net position	498,355	(198,765)
Cash flows from operating activities	497,901	708,356
Total revenues (fee increases)	4,154,438	4,443,563





---

## **ABC BOARD OF MARION**

### **2023 Annual Financial Report**

## **Audit Summary**

---

- The ABC board's audit is independent of the City's, but is reported as a component unit in the City's audit report
- We issued an unmodified (clean) opinion; reasonable assurance that the financial statements are free from material misstatement
- We reported no material weaknesses in internal control



## Net Position

Serves as a measure of the Board's financial resources available.

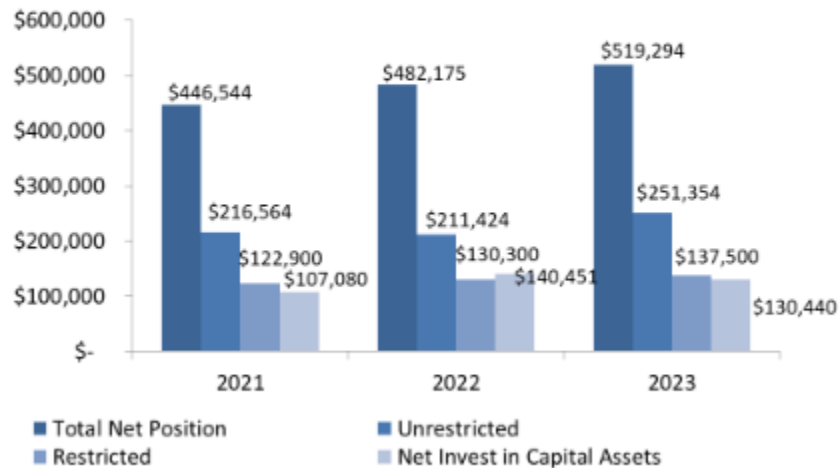
- $(\text{Assets} + \text{Deferred outflows}) - (\text{Liabilities} + \text{Deferred inflows}) = \text{Net Position}$

**Classifications applicable to ABC Board:**

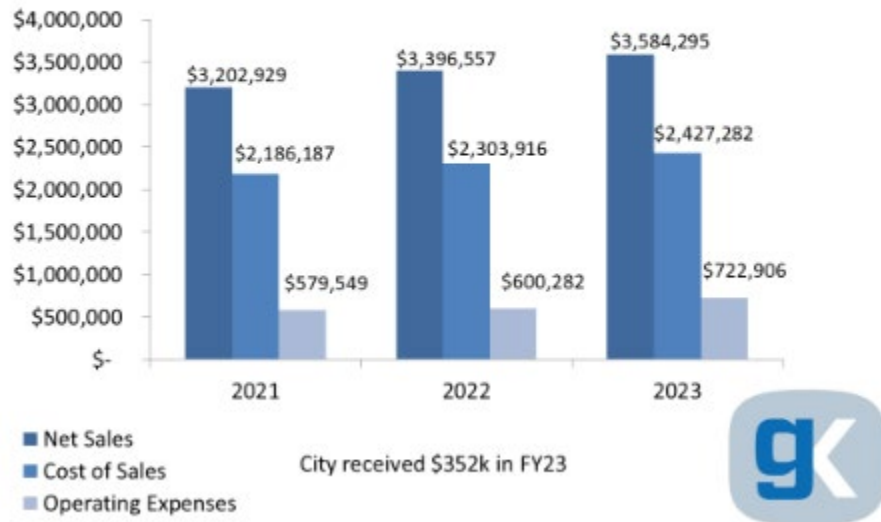
- **Net investment in capital assets** – capital assets net of depreciation and related debt
- **Restricted for working capital** – as set by ABC Commission, not less than two weeks average gross sales of the last fiscal year
- **Unassigned** - no external or internal constraints



## Net Position



## Revenues and Expenses



As there were no questions, City Manager Bob Boyette thanked Mr. Mullinix for the presentation and for his work on the audits. Manager Boyette then expressed thanks to Finance Director Dawn Penland and Assistant Finance Director Jim Isaacs for their great work on the audit and for the seamless transition in the Finance Department last year after the former Finance Director left the City. He said that Ms. Penland and Mr. Isaacs put the City in a great position with all they do to maintain the finances. Manager Boyette went on to thank all City staff for managing the City's money as if it were their own and for everything they do to provide support and services.

Manager Boyette then thanked the ABC Board for all of their past and continuing support. He said that since 1984, the ABC Board has run an efficient organization with talent, skill and dedication. He thanked ABC Board Manager Jayne Edwards and Finance Officer Harriett Thomas for their work and for the many millions of dollars the Board has transferred to the City in the past forty years. ABC Finance Officer Thomas said that she believed it was about \$5 million at this point. Manager Boyette again thanked the ABC Board.

### **MEETING ADJOURNMENT**

Mayor Pro Tem Ayers thanked everyone in attendance. Upon a motion by Council Member Effler, seconded by Council Member Ramsey, the meeting was adjourned at 7:00 p.m.

---

**WOODY AYERS, MAYOR PRO TEM**

**ATTEST:**

---

**J. ROBERT BOYETTE, CITY MANAGER/CLERK**