

**STATE OF NORTH CAROLINA
MCDOWELL COUNTY
BOARD OF COMMISSIONERS
SPECIAL SESSION – August 31, 2026**

Assembly

The McDowell County Board of Commissioners met in special session on Monday, August 31st, 2026, in the Commissioners' Board Room, 69 N. Main Street, Marion, NC.

Members Present

Chairman, Tony Brown; Vice-Chair, Lynn Greene; Patrick Ellis; and Trisha Garner, David Walker

Members Absent

None

Others Present

Ashley Wooten, County Manager; Madalyn Robinson, Clerk to the Board; Fred Coats, County Attorney;

Call to Order

Chairman Brown called the meeting to order at 5:00 pm. Commissioner Walker led the group in prayer, and Commissioner Garner led the Pledge of Allegiance.

Approval of Agenda

Commissioner Walker made a motion to approve the agenda, seconded by Commissioner Walker. The motion passed 5-0.

Data Center Moratorium Overview

Mr. Wooten gave an overview of the data center moratorium public hearing. The purpose of the special meeting is to receive comments on a proposed moratorium for data center development. Data centers house computer servers that store, manage, and process data for users ranging from tech and social media companies to banks, cloud providers, and AI models. They range from small on-site server rooms to shared "colocation" facilities to campus-sized "hyperscale" centers built by companies like Amazon, Google, Meta, and Microsoft.

A moratorium is a temporary pause on development activities authorized by NC General Statute 160D-107. A moratorium is not a ban on a specific activity, but it institutes a pause on activity while the Commissioners and their designees determine what type of regulation, if any, is needed. On a national and state level, there are common themes and concerns being expressed by communities. Those concerns tend to focus on several areas, such as electric and water demand, noise, and emissions, among others. The Commissioners have stated they want time to study these issues and to develop regulations that are appropriate for McDowell County.

Mr. Wooten presented the staff recommendations as follows:

- The Board of Commissioners should vote to approve an ordinance implementing a moratorium. The Board has the discretion to have a moratorium of any reasonable length, but the statewide standard has been 12 months.
- Research existing data center development elsewhere in the state, including regulations other counties have implemented, and learn more about data centers that have been built in the last several years in response to concerns regarding electricity, water, sound, etc.
- Develop parameters and development requirements that need to be in a regulatory ordinance and direct the Planning Board to develop an ordinance that addresses the concerns expressed by the Commissioners and the public
- Receive public comment on the proposed ordinance
- Receive Commissioner comment on the proposed ordinance
- Make any needed changes to the proposed ordinance after receiving public and Commissioner comments
- Adopt ordinance, discontinue moratorium, and begin regulating data center development

Mr. Wooten explained the process for the public hearing to follow. The Board will hold a public hearing to receive comments on the proposed moratorium. Speakers are allowed three minutes for comments. The hearing is not designed to be interactive; the Commissioners will hear comments on the proposed moratorium, but will not answer questions during the hearing. At the conclusion of the hearing, the Board will then adopt an ordinance implementing the moratorium for their preferred duration.

Public Hearing on Data Center Development

Chairman Brown called the meeting into public hearing at 5:10 pm.

Eleven speakers signed up to express their concerns about data center development in McDowell County. The speakers are as follows:

1. Mackin Radford
2. Teri Stahara
3. Michelle Johnson
4. Melissa Biddix

5. Janice Whitson
6. Guy Burleson
7. David Thornton
8. Stephen Knight
9. Cheryl Mathis
10. Patrick McLoughlin
11. Heather Edwards

Commissioner Walker moved to close the public hearing, seconded by Commissioner Ellis. By a vote of 5-0, the motion passed. At 5:37 pm the Board came out of public hearing.

Board Action on Proposed Data Center Moratorium

Chairman Brown introduced the discussion surrounding the proposed data center moratorium action.

Commissioner Walker moved to enact a 6-month moratorium to give staff and the Planning Board time to review and bring back a solid document related to water concerns, the power grid, health concerns, develop parameters and requirements for the ordinance, and let the Board review the ordinance in 6 months. This motion was seconded by Vice-Chair Greene. Commissioner Garner asked Mr. Wooten about the possibility of data centers being banned. Mr. Wooten referenced legal guidance from the County Attorney and others, and noted that you cannot ban any legal activities by ordinance or otherwise. An ordinance would set up guidelines as to what could limit or allow a data center to come to the community. By a vote of 5-0, the motion passes.

Adjournment

Vice-Chair Greene moved to adjourn at 5:40 pm, seconded by Commissioner Walker. By a vote of 5-0, the motion passed, and the meeting was adjourned.