

MACON COUNTY BOARD OF COMMISSIONERS
JANUARY 14, 2013 – 6:00 P.M.
CONTINUED SESSION
MINUTES

Chairman Corbin convened the continued session at 6:00 p.m. in the Commissioners' Boardroom on the third floor of the courthouse as recessed from the January 8th regular meeting. All Board Members, the County Manager, Deputy Clerk, Finance Director, County Attorney, interested citizens and members of the news media were present.

ADJUSTMENTS TO AND APPROVAL OF THE AGENDA: Upon a motion by Commissioner Tate, seconded by Commissioner Beale, the board voted unanimously to adjust and approve the agenda as outlined below:

- To postpone Item 7, Consideration of change order #14 on the Little Tennessee River/Cartoogechaye Creek Trunk Sewer Project, until the next meeting, per the County Manager.
- To add a new Item 7, approval of contract with Arrowood Construction for the new adult dental clinic, per the County Manager.

PUBLIC COMMENT: Prior to taking up the other items on the agenda, the board held a brief public comment session at the discretion of the chairman, who first recognized **Dan Hunter**. Mr. Hunter said that he was currently the president of the Little League association for both boys baseball and girls softball in the county, and that his board members had asked him to appear before the commissioners and “tell those guys we’re for it” in reference to the proposed Parker Meadows recreational park. **Melinda Carpenter** told the board that she was the current vice president for Little League softball and that the girls and their parents were really excited over the prospect of the new recreation park and additional ball fields.

APPROVAL OF THE BASIC FACTS AND ASSURANCES REGARDING PROPOSED PARKER MEADOWS RECREATIONAL PARK PHASE I –

Chairman Corbin initiated the discussion by stating that the county's extended due diligence period related to purchasing the former Parker Meadows Golf Course ended today, and that as the county has already contracted to buy the property, any vote taken tonight would be to not purchase it. Mike Lavoy with Alliance Consulting Engineers then went over a document entitled "N.C. Parks and Recreation Trust Fund (PARTF) 2012-13 Basic Facts and Assurances," a copy of which is attached (Attachment 1) and is hereby made a part of these minutes. Mr. Lavoy pointed out that the document requests \$500,000 in PARTF funds, to be matched by \$617,576 from Macon County in order to construct Phase I of the Parker Meadows Recreational Park, which would include two adult ball fields, a multi-purpose field (soccer), a paved greenway, playground, picnic pavilion and supporting infrastructure. He said the county would have three years to complete this phase, but could apply for additional PARTF funds next year. He said the full PARTF application was due by January 31, and that a proposed master plan was part of that application. The County Attorney said that an appropriate motion would be to approve the Basic Facts and Assurances and authorize the chairman to sign the document. At this point, Commissioner Higdon questioned if the board was going to discuss the purchase of the property prior to voting on the document. This led to a lengthy discussion during which a number of questions were raised. Commissioner Tate asked if the board was willing to pay the entire cost if the county did not get the PARTF grant. Referring to the proposed master plan, Commissioner Haven stated his concerns over the proposed \$4.9-million cost of a fully-developed park, with Chairman Corbin responding that the development of the property "is another decision for another day." The chairman pointed out that the Eastern Band of Cherokee Indians (EBCI), while in support of the project, wants the county to complete a Phase I archeological survey. Commissioner Higdon expressed his support for the project and said that while the ball fields are desperately needed, he asked if a market appraisal had been done on the property and stated he was "floored" by the \$4.9-million total. Mr. Lavoy told the board that the cost estimate was based on a "worst case scenario." Much of the ensuing discussion centered on the details of the proposed Phase I archeological study, with Commissioner Beale and the County Manager both stating that the county would have to perform the study. Commissioner Higdon questioned if the county could have the Phase I study completed prior to purchasing the property. The cost of the study was estimated at between \$42,000 and \$48,000 and would likely take three weeks to complete. Chairman Corbin suggested that the board approve the Basic Facts and Assurances as well as the master plan, vote to do a Phase I study and

ask the property owner for 60 additional days of due diligence time. The County Attorney recommended that the board go into closed session to discuss the contingencies involved with the time extension. Following further discussion, and upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to adopt the Basic Facts and Assurances document and the Parker Meadows Recreational Park Master Plan (Attachment 2), a copy of which is attached and is hereby made a part of these minutes. Upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted unanimously to approve a Phase I archeological study on the proposed recreation park at a cost not to exceed \$42,000, along with an accompanying budget amendment that will take the \$42,000 from fund balance. The County Attorney reiterated his suggestion for a closed session, and Commissioner Haven made a motion, seconded by Commissioner Beale, to go into closed session under the attorney/client privilege. However, the board agreed by consensus to address the remaining agenda items before going into closed session, and the motion and second were subsequently withdrawn.

CONSIDERATION OF OPTIONS FOR SWIMMING POOL PROJECT:

Parks and Recreation Director Seth Adams presented the board with several options related to the ongoing renovation of the swimming pool at the county recreation park, including: (1) a change order proposal from Augusta Aquatics, Inc. in the amount of \$7,642.70, with the primary item in the change order being installation of a 400,000 BTU propane heater for the pool; (2) three separate fencing options from Asheville Contracting Co., Inc. for the pool perimeter, pool divider fence and the filter room perimeter ranging from \$16,434.96 to \$20,884.71 to \$26,168.48; (3) water slide proposals from (a) Natural Structures, Inc. in the amounts of \$18,757 and \$23,102 and (b) from Miracle Recreation Equipment Company for a double slide in the amount of \$26,633.06. Chairman Corbin said the recommendation from the Recreation Committee was to (1) accept the change order, (2) go with the best of the three fencing options although the mid-grade option would suffice and (3) go with the least expensive of the slide options. The County Manager said that the necessary concrete work at the pool and renovations to the Highlands pool would be discussed at a later date. Following discussion, and upon a motion by Commissioner Haven, seconded by Commissioner Higdon, the board voted unanimously to approve the following: (1) to accept Change Order Proposal No. 1 from Augusta Aquatics, Inc. in the amount of \$7,642.70 (Attachment 3); accept the proposal from Asheville Contracting Co., Inc. for fencing in the amount of \$20,884.71 (Attachment 4); and accept the proposal from Natural Structures, Inc. for

a pool slide in the amount of \$18,757 (Attachment 5), with the \$47,284.41 total cost of the three items to come from contingency.

APPROVAL OF CONTRACT WITH ARROWOOD CONSTRUCTION:

Following discussion, and upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted unanimously to approve a construction contract with Greenworks, LLC, an Alabama LLC doing business as Arrowood Construction, in the amount of \$84,415 for the new adult dental facility for the Macon County Health Department located at the Macon Bank Corporate Park at 108 Macon Center Drive in Franklin, as prepared by the County Attorney (Attachment 6). A copy of the contract is attached and is hereby made a part of these minutes.

CLOSED SESSION: At 7:38 p.m., and upon a motion by Commissioner Haven, seconded by Commissioner Beale, the board voted unanimously to go into closed session for the purpose of consulting with the attorney under G.S. 143-318-11(a)(3). At 7:48 p.m., and upon a motion by Commissioner Tate, seconded by Commissioner Higdon, the board voted unanimously to come out of closed session.

EXTENSION OF DUE DILIGENCE ON PARKER MEADOWS RECREATIONAL PARK SITE:

Following the closed session, the County Attorney recommended to the board members that they ask the property owner of the former Parker Meadows Golf Course to modify the existing agreement, specifically to extend the county's due diligence period through April 15, 2013, with a closing date of April 30, 2013. He further suggested that the board authorize Chairman Corbin to sign the necessary document(s) and to authorize the County Attorney to deliver the document(s) to the owner this evening. Should the owner choose not to accept the modified agreement, the County Attorney would be authorized to terminate the contract. Upon a motion by Commissioner Haven, seconded by Commissioner Beale, the board voted unanimously to approve the County Attorney's recommendation as outlined above.

RECESS: Following additional discussion regarding the proposed recreational park and a brief overview of the agenda for Saturday's work session, at 8:01 p.m. and upon a motion by Commissioner Higdon, seconded by Commissioner Tate, the board voted unanimously to recess until Saturday, January 19, 2013 at 9 a.m. in the conference room of the Cecil L. Groves Center on the Macon County Campus of Southwestern Community College at 44 Siler Farm Road in Franklin, NC.

Jack Horton, County Manager
Clerk to the Board

Kevin Corbin
Board Chairman