

MACON COUNTY BOARD OF COMMISSIONERS
January 11, 2022
MINUTES

Chairman Tate called the meeting to order at 6:02 p.m. All Board Members, County Manager Derek Roland, County Attorney Eric Ridenour, members of the news media, county employees and citizens were present. Finance Director Lori Carpenter and Deputy Clerk Mike Decker participated virtually.

ANNOUNCEMENTS: Chairman Tate announced that he is a University of Georgia alumnus and was in Indianapolis for last night's college football national championship game. Per a "gentleman's" bet with Mr. Roland, Chairman Tate handed Mr. Roland a Georgia Bulldogs hat and asked that Mr. Roland wear it during tonight's meeting. Mr. Roland obliged.

MOMENT OF SILENCE: Chairman Tate requested that all in attendance rise and a moment of silence was observed.

PLEDGE TO THE FLAG: Led by Mr. Roland, the pledge to the flag was recited.

PUBLIC HEARING(S): None

PUBLIC COMMENT PERIOD: **Marshall Platt** inquired about the purpose of the Robert C. Carpenter Community Building and stated that he had requested use of the space and was unable to use the facility. Mr. Platt also asked about the agenda item referencing Recreation Commission appointees in regard to how those vacancies are announced and the application process used to fill them. Mr. Roland informed Mr. Platt that the appointments was an item that Recreation Director Seth Adams had been working on for some time, but that he could give Mr. Platt an application. Commissioner Young confirmed the Recreation Commission meetings are open to the public and encouraged Mr. Platt to attend. Mr. Platt shared that he had had several conversations with Mr. Adams as recently as today and that each time he had requested use of the facility he was denied. He questioned whether the facility was for the purpose of building community or a way to raise revenue for special interests such as the chamber of commerce or gun shows. Mr. Platt said his request was to use the gym for folk dancing instead of the facility's multi-purpose room. He said the policy currently is that only tennis shoes are allowed on the floor. Chairman Tate and Commissioner Young both responded that the purpose was to protect

the gym floor surface from damage. Mr. Platt said the dancers wear a soft rubber-soled shoe which will not mark or damage the flooring and explained the safety issues which prevent the dancers from wearing tennis shoes. Commissioner Beale suggested Mr. Platt look at the option of using Cowee School instead. Mr. Roland suggested Mr. Platt present the request to the Recreation Commission once it is up and running. He also reminded Mr. Platt of their meeting scheduled for Thursday (January 13) in which they could have further discussion.

ADDITIONS, ADJUSTMENTS TO AND APPROVAL OF THE AGENDA: Upon a motion by Commissioner Shields, seconded by Commissioner Higdon, the board voted unanimously to approve the agenda, as adjusted, as follows:

- To remove the by-laws for the Recreation Commission from the Consent Agenda. This item was not listed and there should not be an understanding implied that those would be approved tonight. Mr. Ridenour will review those and bring them back for approval and adoption, per Mr. Roland.
- To add a closed session with no action to follow, per Commissioner Beale.

REPORTS/PRESENTATIONS – None.

Economic Development Administration Grant Application and Request for Matching Funds – Bob McCollum and Elaine Eisenbraun from the Nikwasi Initiative appeared before the board again to continue discussing a proposed economic development administration grant application and a request for county funding. Mr. McCollum began by introducing Juanita Wilson from the Eastern Band of Cherokee Indians and then proceeded to provide an update on the grant application discussed at the December 14, 2021 regular meeting, and provided some artists' renderings of the proposed project. Mr. McCollum stated that the Eastern Band Tribal Council had approved to support what was needed for the grant application. He said Principal Chief Richard Sneed is not able to specify a dollar amount at this time, but they have shared a willingness to offer, at a minimum, the value of the building, which is approximately \$300,000. Mr. McCollum stated that the initiative is still asking for \$100,000 from the county, which is 1.7 percent of the requested \$5-million grant. Commissioner Beale referenced a meeting held on Friday (January 7) with the stakeholders and said there are still many decisions that have to be made. Ms. Eisenbraun stated the funding is on a rolling cycle and that the Economic Development Administration (EDA) has indicated they have already received more applications than they have funding. She said the EDA has communicated that they like the partnership Nikwasi has with the EBCI on this project and has encouraged them to get the application in within the next two weeks. After considerable discussion, Commissioner Shields made a motion to obligate the \$100,000 pending the \$5-million grant award. The motion did not receive a second and therefore died.

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After continued discussion, Commissioner Beale made a motion, seconded by Commissioner Shields, to obligate a \$100,000 grant match on the EDA ARPA Grant, along with a budget amendment for the monies to come from fund balance, contingent upon a satisfactory show of support from the EBCI, Mainspring and the Town of Franklin. The motion included having Mr. Roland distribute letters to board members asking for a simple yea or nay, which would be ratified at the next meeting. The motion passed 3-2 with Chairman Tate, Commission Beale and Commissioner Shields voting in favor and Commission Young and Commissioner Higdon opposing.

Consideration for Bond Agreement for Gemstone Village Development – Mr. Roland presented the information on the proposed bond agreement for Gemstone Village in County Planner Joe Allen’s absence. He explained that in accordance with the county’s subdivision ordinance, the sub-divider is required to get a performance guarantee through a surety bond, letter of credit, or any other form of guarantee in the amount of 125 percent of the development cost. Mr. Roland referenced the agreement documents [Attachments 1 and 2, respectively] indicating that Phase I will include a \$617,119 performance bond as stated in Exhibit B of the agreement and Phase III, Section 1 of the development will include a performance bond in the amount of \$189,185. Joanne Snider informed the board that Gemstone Village is a retirement village for residents over the age of 55, located on Prentiss Bridge Road at the location of the old Teague Dairy. She indicated that Phase I will have 37 sites for manufactured housing and Phase III, Section 1 will consist of 18 town homes – single story duplexes. Ms. Snider stated she plans to put up certified checks for both of the amounts quoted as opposed to performance bonds. Commissioner Beale made a motion, seconded by Commissioner Young, to approve the agreement for Phase I in the amount of \$617,119 and the vote was unanimous. Commissioner Beale then made a motion, seconded by Commissioner Young, to approve the agreement for Phase III, Section 1, in the amount of \$189,185, and the vote was unanimous.

Appointments for Planning and Inspections Positions – Mr. Roland stated that with the retirement of Planning, Permitting and Development Director Jack Morgan, there was a need to make some appointments in order to stay in compliance with state and local laws. He again noted that Joe Allen was not able to be at the meeting tonight. Mr. Roland requested authorization for the appointment of Joe Allen as the Ordinance Administrator. Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to authorize the appointment as requested. Mr. Roland then requested authorization of the appointment of Bobby Bishop as the Building Codes Administrator. Upon a motion by Commissioner Shields, seconded by Commissioner Beale, the board voted unanimously to authorize the appointment as requested. Mr. Roland explained that the previous Planning, Permitting and

Development Director position had been dissolved and that a Fire Inspector III/Code Enforcement Officer I position would be created.

Schedule Public Hearings on Revisions to the Telecommunications Ordinance and the Airport Hazard Ordinance for the February 8, 2022 Regular Meeting – As requested by Mr. Ridenour, and upon a motion by Commissioner Higdon, seconded by Commissioner Young, the board voted unanimously to schedule public hearings on the revised Telecommunications Ordinance and the Airport Hazard Ordinance for the February 8, 2022 regular meeting.

Schedule date for Mid-Year Budget Review Session – Mr. Roland proposed a meeting date of February 3, 2022 at 1:00 p.m. for a budget review session with lunch to be provided prior to the meeting. No action was necessary at this time.

CONSENT AGENDA: Upon a motion by Commissioner Higdon, seconded by Commissioner Beale, the board voted unanimously to approve the consent agenda as presented, which includes the following: (A) Minutes of the December 14, 2021 regular meeting, (B) Budget Amendments #116-128, (C) Tax releases for the month of December 2021 in the amount of \$1,782.16, and (D) the monthly ad valorem tax collection report, for which no action is necessary.

APPOINTMENTS:

- (A) Recreation Commission (5 seats) – Upon a motion by Commissioner Young, seconded by Commissioner Shields, the board voted unanimously to appoint Jay Brooks, Timothy Crabtree, David Culpepper, Karen Townsend and Jeffrey Weller to the Macon County Recreation Commission. Term of appointment will be for four years, per the draft by-laws.
- (B) Board of Health (1 seat) – Upon a motion by Commissioner Higdon, seconded by Commissioner Young, the board voted to appoint Jennifer Knoepp to fill a general public slot on the Macon County Board of Health. Term of appointment is for three years.
- (C) Library Board (1 seat) – Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to appoint Linda Tyler to the Macon County Public Library Board of Trustees. Term of appointment is for three years.
- (D) Economic Development Commission (3 seats) – Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to reappoint Roger Plemens, Mark West and Cory McCall to the Macon County Economic Development Commission (EDC). Term of appointment is for three years.
- (E) Community Funding Pool Committee – Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously

to reappoint Andrea Anderson, Patrick Betancourt, Bobbie Contino, Diane Cotton, Kyle Garner, Bonnie Potts, Karen Stiwinter, Karen Wallace and Rick Westerman to the Community Funding Pool Team, and to appoint new member Jennifer Jenkins, all for three year terms.

- (F) Board of Equalization and Review (5 seats) – Upon a motion by Commissioner Young, seconded by Commissioner Higdon, the board voted unanimously to reappoint Dwight Vinson, Donald Holland, Gary Drake, Kristine Flaig and Richard Lightner to the Macon County Board of Equalization and Review. Term of appointment is for one year.
- (G) Community Advisory Committee (4 seats) – The board members were made aware of four vacancies on the Community Advisory Committee, and notice of those vacancies will be posted on the county’s website. No action was taken.

CLOSED SESSION – At 7:56 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to go into closed session as allowed under NCGS 143-318.11(a)(5) to discuss potential property acquisition with a plan to take no action following the closed session. At 8:10 p.m., upon a motion by Commissioner Young, seconded by Commissioner Higdon, the board voted unanimously to come out of closed session and return to open session. No action was taken.

RECESS: At 8:10 p.m., upon a motion from Commissioner Higdon, seconded by Commissioner Young, the board voted unanimously to recess until Thursday, February 3, 2022 at 1:00 p.m. in the commission boardroom on the third floor of the Macon County Courthouse.

Derek Roland
Ex Officio Clerk to the Board

Jim Tate
Board Chair