

Macon County



**MACON COUNTY BOARD OF COMMISSIONERS
APRIL 11, 2023 REGULAR MEETING
6 P.M.
AGENDA**

1. Call to order and welcome by Chairman Higdon
2. Announcements
3. Moment of Silence
4. Pledge of Allegiance
5. Public Hearing(s) – **6 p.m.** – Modification of the Macon County Watershed Ordinance to Allow the Watershed Administrator to Approve Special Nonresidential Intensity Allocation – Planning Director Joe Allen

NOTE: The board may take action on this item immediately following the close of the public hearing.

6. Public Comment Period
7. Additions to agenda
8. Adjustments to and approval of the agenda
9. Reports/Presentations
 - (A) Recognition of the Franklin High School Track and Field Team
 - (B) Report on recent fire department inspection – Warren Cabe, Emergency Services Director
 - (C) Macon County Public Library Trustees Report – Chairman Bill Dyar
10. Old Business
 - (A) Update on Recreation Master Plan for Veterans Memorial Recreation Park – Parks and Recreation Director Seth Adams and representatives of McGill Associates

11. New Business

- (A) Proclamation regarding 80's Flashback/Shriners Hospital Weekend – Dave Linn
- (B) Request for Release of Performance Guarantees for Phase 3, Section 1 of Gemstone Village – Planning Director Joe Allen
- (C) Request for additional positions at the Department of Social Services (DSS) – DSS Director Patrick Betancourt
- (D) Request for Resolution Opposing House Bill 340 – Mr. Betancourt and Shelly Foreman with VAYA Health
- (E) Resolution Accepting Bid and Authorization of Upset Bid Process for the Sale of Surplus Property – County Attorney Eric Ridenour
- (F) Discussion concerning purchase of property located at 195 Wayah Street, Franklin, NC 28734 – County Manager Derek Roland
- (G) Consideration of revised county vehicle/equipment policy – HR & Safety Director Mike Decker
- (H) Consideration of updated Records Retention and Disposition Schedules – HR & Safety Director Mike Decker
- (I) Consideration of proclamation for National County Government Month – County Manager Derek Roland

Consent Agenda – Attachment #12

All items below are considered routine and will be enacted by one motion. No separate discussion will be held except on request of a member of the Board of Commissioners.

- (A) Minutes of the March 14, 2023 regular meeting
- (B) Budget Amendments #220-224
- (C) Tax releases for the month of March in the amount of \$1,907.10
- (D) Monthly ad valorem tax collection report – no action necessary

12. Appointments

- (A) Planning (1 Seat)

13. Closed session as allowed under NCGS

14. Adjourn/Recess

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

CATEGORY – PUBLIC HEARING

MEETING DATE: April 11, 2023

We have one public hearing on the agenda.

It involves a technical change to the Macon County Watershed Ordinance, and if approved, would allow the Watershed Administrator – instead of the Planning Board – to approve Special Nonresidential Intensity Allocations (SNIAs).

A copy of the Public Notice is included in the agenda packet, and as the notice contains the proposed change to the language in Section 156.32(C) of the ordinance, the full ordinance will not be included in the packet.

A copy of this notice appeared one time in *The Franklin Press* on March 29, 2023.

Planning Director Joe Allen will be at the meeting and can answer questions or provide additional details as needed.

Following the close of the public hearing, the board can take action on the proposed change.

NOTICE OF PUBLIC HEARING

TO CONSIDER MODIFICATION OF THE MACON COUNTY WATERSHED ORDINANCE TO ALLOW THE WATERSHED ADMINISTRATOR TO APPROVE SPECIAL NONRESIDENTIAL INTENSITY ALLOCATION

Please take notice that the Macon County Board of Commissioners will conduct a public hearing on Tuesday, April 11, 2023 at 6:00 p.m. in the Commission Boardroom located on the third floor of the Macon County Courthouse, located at 5 West Main Street, Franklin, NC 28734, concerning a proposed modification of the Macon County Watershed Ordinance to allow the Watershed Administrator to approve Special Nonresidential Intensity Allocations (SNIA).

The applicable portion of §156.32(C) of the Macon County Watershed Ordinance currently states:

“The *Planning Board* is authorized to approve SNIAs consistent with the provisions of this ordinance, and such approved projects shall be awarded on a first come, first serve basis.”

The proposed amendment to the applicable portion of §156.32(C) of the Macon County Watershed Ordinance is for such provision to state:

“The *Watershed Administrator* is authorized to approve SNIAs consistent with the provisions of this ordinance, and such approved projects shall be awarded on a first come, first serve basis.”

A complete copy of the Macon County Watershed Ordinance can be viewed on the County website, maconnc.org, under “Public Announcements,” and a hard copy may be obtained in the lobby at the Courthouse Annex Building, 5 West Main Street, Franklin, North Carolina.

This item was approved for Public Hearing at the February 21, 2023 meeting of the Macon County Board of County Commissioners.

Derek Roland
Ex Officio Clerk to the Board
Macon County

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

CATEGORY – REPORTS/PRESENTATIONS

MEETING DATE: APRIL 11, 2023

9A. Chairman Higdon has invited the coaches of the men's and women's Franklin High School track and field teams to share the recent accomplishments of their student athletes.

9B. Emergency Services Director Warren Cabe will have a report for the board regarding the recent inspection of one of the county's volunteer fire departments as well as the subsequent follow-up inspection.

9C. Bill Dyar, the chairman of the Macon County Public Library Board of Trustees, has requested time on the agenda to provide a report from the trustees, a copy of which is enclosed in the agenda packet. Mr. Dyar also provided another document for the board's review and information entitled "Considerations for Macon County Withdrawing from the Fontana Regional Library System," a copy of which is also included in the packet.

To: Macon County Board of Commissioners

From: Macon County Public Library Board of Trustees

Date: April 11, 2023

Historically, the Macon County Public Library Board of Trustees has operated under the umbrella of two bodies:

- The County Commission which provides library space, operational funding and commissioner liaisons, along with approval and appointment of library trustees.
- The Fontana Regional Library System which provides funding and services, along with operational policies and guidelines mandated by the State Library of North Carolina.

For decades this arrangement has proven effective, efficient, and much to the benefit of the citizens of Macon County. Over the years, subsequent trustee boards have endeavored to offer counsel and advice in a variety of ways. One primary function has been to review, understand, and implement various laws, operational policies and procedures affecting our county libraries.

With recent developments, the library's board of trustees wanted to respond directly to the full Board of Commissioners as the Commissioners collectively consider withdrawing our libraries from the Fontana Regional Library System. From the trustees' perspective, several critical issues are at stake if the Board of Commissioners resolves to withdraw from the Fontana Regional Library System:

- Earlier the Library Board of Trustees sent each of you, and the county manager, a five page document, *Considerations for Macon County Withdrawing from the Fontana Regional System*, outlining the procedures and cost of such a resolution. It is the trustees' hope that this document makes clear the financial impact suffered by the Macon County taxpayers if the Board of Commissioners acts to withdraw from the Fontana System. The trustees feel that the effect of the withdrawal is financially staggering and unduly burdensome with absolutely no corresponding benefit to the citizens of our community or the Library patrons.
- Oversight for an independent Macon County Library System is another issue. To our understanding, no library trustee board has ever received any oversight directives from our Board of Commissioners. The current group of trustees is, however, receptive to considering directives that the Board of Commissioners adopts. A withdrawal will create the need to establish new operational oversight, new policies and procedures that comply with federal and state laws and statutes, along with those of the State Library of North Carolina, as well as other unanticipated consequences caused by terminating Macon County's relationship with Fontana that has worked well for almost 80 years. Such oversight will have to come from the Board of Commissioners or its designees.

In summary, the Macon County Public Library Board of Trustees expresses its strongest endorsement for our county libraries to remain in the Fontana Regional Library System.

CONSIDERATIONS FOR MACON COUNTY WITHDRAWING FROM THE FONTANA REGIONAL LIBRARY SYSTEM

Under current North Carolina state regulations, a regional library system serves two or more contiguous counties. Fontana Regional Library (FRL) serves three counties; Jackson, Macon, and Swain. Therefore, if one county withdraws from the region the remaining two counties would remain a regional library system. If two counties withdraw, it would force the region to disband. The terms of withdrawal or dissolution are set forth by state statutes and the regional agreement, excerpted below:

Fontana Regional Library Regional Agreement:

V. Terms of Property Ownership

A major benefit of regional cooperation is that scarce resources may be shared among the various county residents without wasteful duplication; however, certain ownership restrictions shall apply:

- A. All real property, buildings, grounds and other facilities of each library shall be acquired and owned by their respective county, and occupied by each library in accordance with a facility lease between Fontana Regional Library and each county.
- B. All other property, including library materials, technology, furnishings, fixtures and equipment, vehicles, or other resources, purchased with state, regional, or county funds shall be owned by Fontana Regional Library excepting what is provided for in Section V.C.
- C. The Hudson Library facility and all library materials, furnishings, and fixtures acquired by Hudson Library, Inc. shall be owned by Hudson Library, Inc, a private non-profit corporation.
- D. All library materials, furnishings, and fixtures acquired by Fontana Regional Library and located at Hudson Library, Inc. shall be owned by Fontana Regional Library.
- E. As included under N.C.G.S. Chapter 1 60A, Article 20, Part I, Joint Exercise of Power, property purchased by the Fontana Regional Library is owned jointly as tenants in common by the participating counties.
- F. See also Section VIII hereof regarding the distribution of property in the event of withdrawal of a participating local governmental unit and Section IX hereof regarding the dissolution of the Fontana Regional Library.

VIII. Provisions for Withdrawal

- A. A participating local governmental unit proposing to withdraw from the Fontana Regional Library shall give written notice on or before July 1 to the Fontana Regional Library Board of Trustees, the other counties' Boards of Commissioners, and the State Library of North Carolina. The withdrawal shall be effective the following June 30.
- B. Should that participating local governmental unit decide within this time period to rescind the proposal, that participating local governmental unit shall remain a part of the Fontana Regional Library under the same conditions and requirements as the agreement under which they became a member.
- C. Should that participating local governmental unit fully withdraw, assets located in the local library facility will remain the assets of the withdrawing library. Notwithstanding the aforementioned, in the event there are assets located in the local library facility that were purchased

by Fontana Regional Library with Fontana Regional Library funds and intended for Fontana Regional Library regional support services, those assets will remain the assets of Fontana Regional Library.

IX. Provisions for Dissolution

A. The Fontana Regional Library may be dissolved if two of the three participating local governmental unit parties withdraw in accordance with the procedures stated above.

B. As included under N.C.G.S. Chapter 1 60A, Article 20, Part 1, Joint Exercise of Power, property purchased by the Fontana Regional Library is owned jointly as tenants in common by the participating counties; therefore, if the Fontana Regional Library is dissolved, the counties of Jackson, Macon, and Swain shall divide the joint assets equally among

C. The distribution of properties and resources jointly owned shall be accomplished by a committee composed of representatives from each county, the current Fontana Regional Director, and a representative from the State Library of North Carolina.

D. After all outstanding debts are resolved, any remaining funds from the member counties shall be returned to them and the distribution of any remaining State or Federal funds shall be determined by the State Library. Any land and building property owned by the Fontana Regional Library shall be sold and the proceeds distributed to the counties, or the property may be distributed to the counties on an equitable basis as agreed upon by the committee of representatives. Other property such as the bookmobile, outreach van, computers and other technology, books, and any other assets shall be sold at auction and the proceeds divided among the counties, or property may be distributed in some other equitable manner as agreed upon by the committee of representatives.

State of North Carolina Administrative Code:

7 NCAC 021 .0308 WITHDRAWAL FROM OR DISSOLUTION OF A REGIONAL LIBRARY

(a) A county proposing to withdraw from a regional library shall give written notice on or before July 1 to the regional library board, the other participating local governmental units, and the State Library of North Carolina. The withdrawal shall be effective on the following June 30.

(b) The withdrawing county shall establish eligibility for grants to public libraries according to 07 NCAC 021 .0201 on or before the effective date of withdrawal.

(c) Capital expenditures by the withdrawing county that are necessitated by the withdrawal may not replace support for operating costs in establishing eligibility to receive grants to public libraries according to 07 NCAC 021 .0201.

(d) If withdrawal of a county results in the dissolution of the regional library, the remaining counties must also establish eligibility to receive grants to public libraries according to 07 NCAC 021 .0201 by the effective date of withdrawal.

In the event of withdrawal, there are logistical, monetary, and service considerations that will need to be addressed by all counties.

MONETARY CONSIDERATIONS IF MACON COUNTY WITHDRAWS FROM FRL

1. *Staffing* – All library staff who work in Macon County libraries would become employees of Macon County.
 - a. All library employees would need to be paid in accordance with the Macon County pay plans. Currently, most library staff are paid well below Macon County employees.
 - b. Eligible library staff would need to be added to Macon County benefit plans.

- c. Several staff positions are currently shared across the FRL system. These positions would need to be replaced by Macon County employees.
 - d. The administrative, financial, purchasing, human resources, and IT responsibilities currently handled by FRL would need to be shifted to Macon County departments, which might require additional County staff.
 2. *Catalog system* – FRL libraries are part of the NC Cardinal Consortium which is contracted through FRL. Macon County would need to contract for their own system with NC Cardinal or another system. Macon County would need to pay for the conversion costs to port their collection and patron databases into their own system. Macon County would need to develop a new collection of materials or work with FRL to acquire the collections currently held by Hudson Library, Macon County Public Library, and Nantahala Community Library. There are over 120,000 books and other materials in the Macon County libraries at this time.
 3. *The LAN and WAN network* is owned/leased by FRL. Macon County would need to purchase new servers and network equipment, including switches, routers, etc., and/or pay FRL for the existing equipment. Macon County would need to contract with a service provider for Internet and broadband service.
 4. *E-rate* – the federal e-rate program pays 80% of the cost of Internet and broadband access for the libraries. This process is handled through the FRL HQ office. Macon County would have to take over the erate filing duties in order to continue receiving funding.
 5. *All property*, including library materials, technology, furnishings, fixtures and equipment, vehicles, or other resources, purchased with state, regional, or county funds are owned by Fontana Regional Library. A County withdrawing from the system would have to replace the materials, furniture, fixtures, and equipment.
 6. *State Aid to Public Libraries* – North Carolina provides a block grant to each eligible county based on population and economic status. In order to receive this grant a county must apply annually. Libraries withdrawing from a region have a one year waiting period (also known as a demonstration year) before they are eligible. Based on recent years, the amount that each county would be eligible to receive would range from the mid \$90,000s for Jackson and Macon, to the mid \$70,000s for Swain.
-

LOGISTICAL CONSIDERATIONS IF MACON COUNTY WITHDRAWS FROM FRL

1. *Staffing* - all Macon County library staff including the County and Branch librarians would need to be added to the county staffing plan.
 - a. All library staff would need to be onboarded into the Macon County payroll and benefits systems.
 - b. Current Macon County staff pay plans may not include library staff categories. These would need to be updated by Macon County administration.
 - c. FRL staff are members of the Local Governmental Employees' Retirement System (LGERS) and state 401K system. They would need to be transferred from FRL to Macon County in these systems. This would be the responsibility of Macon County administration.
 - d. North Carolina General Statute 153A-267 defines the qualifications of the chief librarian. To be eligible for appointment and service as chief administrative officer of a library system (whether designated chief librarian, director of library services, or some other

title), a person must have a professional librarian certificate issued by the Secretary of Cultural Resources, pursuant to G.S. 125-9, under regulations for certification of public librarian as established by the North Carolina Public Librarian Certification Commission pursuant to the provisions of G.S. 143B-67.

2. *Catalog system* - As noted above, collection and user databases are part of the FRL system in NC-Cardinal.
 - a. Local system information would need to be exported from the current system and imported to whatever new system Macon County acquired.
 - b. Local library policies such as fines and fees, checkout periods, inter-library loan privileges, hold policies, library card expirations, etc. would need to be established.
 - c. Library patrons would need to be notified of the changes, would need to acquire new library cards, and would need to return NC Cardinal materials.
 - d. Resource sharing in the NC Cardinal system is currently handled by FRL staff and courier service. If the withdrawing county becomes part of the NC Cardinal consortium it would need to take over these shipping and receiving duties and create a central location for this operation. A courier system would also need to be created between Franklin, Highlands, and Topton.
3. *All financial services* including accounts payable, accounts receivable, and payroll are handled by FRL staff. These functions would need to be transferred to the Macon County departments responsible for these functions.
4. *LSTA grants* - while library staff might still prepare the applications and administer LSTA grants, it would be the responsibility of the Macon County administration to approve and submit the applications, as well as track expenditures and request reimbursements.
5. *Purchasing and procurement* is currently handled by FRL staff in accordance with FRL policies. These functions would need to be transferred to the Macon County departments responsible for these functions.
6. *Administrative functions* such as human resources are handled by FRL staff, including recruiting, hiring, terminating, and benefit administration. These functions would need to be transferred to the Macon County departments responsible for these functions.
7. *Automation and technology support* are handled by FRL staff. These functions would need to be transferred to the Macon County departments responsible for these functions.
 - a. Current software licenses for Windows, Microsoft Office, filtering, antivirus, etc. are held through FRL. These licenses would need to be renegotiated separately for any Macon County library branches.
 - b. Hardware and software updates and maintenance are handled by FRL shared employees. Macon County would need to take over these functions.
 - c. Network maintenance are handled by FRL shared employees. Macon County would need to take over these functions.
8. *Internet and Broadband* -
 - a. The fiber optic wide area network that connects the FRL member libraries to the automation system and the Internet is centered in the HQ office in Bryson City. The

existing service to Macon County would have to be dropped and new lines installed connecting any Macon County library branches to each other.

- b. Internet access is contracted through FRL. The equipment and network connections to handle this are owned/leased by FRL and reside in the HQ office in Bryson City. Macon County would have to make arrangements for Internet access through some other mechanism and/or provider, and acquire servers and network access.
 - c. The costs of the Internet and broadband service are funded primarily through the federal e-rate program. Macon County would need to take over e-rate filing. The process to receive erate funding is complex and needs to be started up to 6 months in advance.
9. *Courier service* between FRL member libraries is handled by FRL staff using an FRL vehicle. Any library branches in Macon County would need to make other arrangements to provide courier service between branches.
 10. *Any contracts, services or consortia agreements, grants, or other fiscal or legal obligations, or benefits* of the County libraries as members of FRL will need to be identified and renegotiated by Macon County.
 11. *Any materials or equipment belonging to the Fontana Region Library* would need to be returned or purchased. If FRL was disbanded the assets and liabilities would be divided by the remaining counties.
 12. *Dissolution* – If FRL is dissolved, representatives from the three counties in FRL, the current regional director, and a representative of State Library of North Carolina will form the committee to determine the distribution of resources and assets.

SERVICE CONSIDERATIONS IF MACON COUNTY WITHDRAWS FROM FRL

1. *The FRL libraries share resources, services, and expertise.* Macon County's patrons would no longer have access to those resources unless some reciprocal agreements were put in place.
2. *Macon County library staff* would no longer have the benefit of a wide range of collection development experience, support, cataloging, and training.
3. *FRL's on-site support staff* would not be available to resolve Internet, broadband, and technology problems as they occur, potentially increasing down-time for library resources.
4. *Consortia* – FRL is a member of several resource sharing consortia. Macon County would no longer be part of those arrangements and their patrons would lose access to all those resources. FRL belongs to the e-iNC Consortium and Macon County would need to find a new consortium and repurchase all eResources (eBooks, eAudio, and eMagazines).

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

CATEGORY – OLD BUSINESS

MEETING DATE: April 11, 2023

10(A). Following the board's action at its regular meeting last month, Parks and Recreation Director Seth Adams, along with representatives of McGill Associates, will update the board on the latest steps to prepare a master plan for the Veterans Memorial Recreation Park.

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

CATEGORY – NEW BUSINESS

MEETING DATE: April 11, 2023

11(A). Dave Linn will be at the meeting to request that the board members proclaim August 4 and 5, 2023 as a special celebration of the “80’s Flashback/Shriners Hospital Weekend in Macon County and in conjunction with the Town of Franklin. A copy of the proposed resolution is included in the packet, and Mr. Linn can provide additional comments at the meeting.

11(B). Planning Director Joe Allen will present a request from Alec Stillwell, PE, of Stillwell Engineering to have the remaining amount of performance guarantees be released in connection with Phase III, Section I of the Gemstone Village project. Per Mr. Allen, the original bond amount was \$189,185, of which \$114,383 was released to Snobar, LLC on July 22, 2022, leaving a remaining balance of \$74,802. Mr. Allen will be at the meeting and can provide additional details or answer questions. A copy of the request from Mr. Stillwell is enclosed in the packet.

11(C). Department of Social Services (DSS) Director Patrick Betancourt will be asking for the creation of a new position within his department, specifically an Income Maintenance Caseworker (IMC) trainer, and he can provide a more detailed explanation at the meeting. If approved, the position would become effective within the current fiscal year.

11(D). Mr. Betancourt will also be asking the board to approve a resolution and/or letter stating the county’s opposition to House Bill 340. For your information, a copy of the email from Mr. Betancourt on this item is enclosed in the packet, along with a copy of a letter the county forwarded to Secretary Kody Kinsley of the state Department of Health and Human Services last year regarding this same matter. Mr. Betancourt will be joined at the meeting by Shelly Foreman, the Community Relations Regional Director for VAYA Health.

11(E). County Attorney Eric Ridenour has prepared an Offer to Purchase Agreement in connection with the 3.76-acre tract of county-owned land located at 388 Bethel Church Road in Franklin, a copy of which is included in the packet. A buyer has offered to purchase the property for \$55,350, with the understanding that the county must comply with the upset bid process required by state statute and that a higher bid could be received. With that in mind, Mr. Ridenour has also prepared a Resolution Accepting Bid and Authorization of Upset Bid Process for Sale of Surplus Property for the board's consideration, a copy of which is also included in the packet. Mr. Ridenour can offer further details and answer any questions at the meeting.

11(F). County Manager Derek Roland will initiate a discussion regarding the proposed purchase of property located at 195 Wayah Street in Franklin. Per Mr. Roland:

Upon receiving consensus from the Macon County Board of Commissioners to negotiate for the purchase of property located at 195 Wayah Street, Franklin NC 28734, and upon receiving further consensus to accept the negotiated offer, the following actions which constitute this acceptance must be ratified by the Macon County Board of Commissioners.

Ratification of action(s)

- Disbursement of \$100,000 in refundable earnest money to the trust fund of Ridenour and Goss PA.
- \$10,000 in non-refundable due diligence money to Collins and Collins PA., to be paid to the seller.

In connection with the agreement to purchase the property located at 195 Wayah Street Franklin, NC 28734, being more particularly described as PIN#'s 6594078281 and 6594170017 by the Macon County Tax Office.

Additional Considerations for April 11, 2023:

Budget Amendment- Administration will recommend approval of a budget amendment to set aside the agreed upon purchase price for the 195 Wayah Street property.

- Appropriate \$1,350,000 from General Fund Balance to be set aside for the purchase of the property located at 195 Wayah Street Franklin, NC 28734, being more particularly described as PIN#'s 6594078281 and 6594170017 by the Macon County Tax Office.

Mr. Roland can elaborate further at the meeting.

11(G). HR and Safety Director Mike Decker will be requesting approval of a revised Vehicle/Equipment Policy, a copy of which is included in the packet. The revised policy has been thoroughly reviewed and is now recommended by the county's Safety Committee and has also been

reviewed by Mr. Ridenour. The primary revisions include the implementation of Motor Vehicle Records (MVRs) checks for all county employees annually and pre-employment checks for new hires, and the implementation of an Accident Review Board. These revisions have been made at the request of Travelers Insurance, our property and liability insurance carrier. Mr. Decker can elaborate on this item in more detail at the meeting, including a request to have an effective date of July 1, 2023 for the revised policy.

11(H). Mr. Decker will also request that the county approve an update to the Records Retention and Disposition Schedules issued by the North Carolina Department of Natural and Cultural Resources (DNCR). There are two items involved here – one is the General Records Schedule for Local Government Agencies, and the other is the Program Records Schedule for Local Government Agencies, and the county is required to adhere to these schedules. Included in the packet are the cover pages for each schedule, an executive summary of each, and documents for each that need to be signed by the county manager and board chairman and returned to the state. The Department of Social Services and the Health Department are governed by other schedules and are not included under these guidelines. Upon approval by the board, the full schedules will be forwarded to all of the other county department heads for use in determining how either or both schedules apply to their function, as public records may only be destroyed with the consent of DNCR. If any member would like a hard copy of either or both schedules, those can be provided – but they were not included in the packet as each is approximately 100 pages in length.

11(I). The National Association of Counties (NACo) is urging counties nationwide to adopt a proclamation in association with National County Government Month in April. A draft proclamation will be included in the packet for the board's consideration.

Proclamation
Macon County Board of Commissioners
80's Flashback/Shriners Hospital Weekend

WHEREAS, 2023 marks the 9th Anniversary of the 80's Flashback Weekend, benefitting Shriners Children's Greenville; and

WHEREAS, the Shriners' three-part mission has one goal: to change and improve lives. We do this by caring for our patients, conducting research to gain knowledge and develop new treatments, and providing educational opportunities for physicians and other healthcare professionals; and

WHEREAS, Shriners provides compassionate care and pioneering medical treatment to all children, regardless of a family's ability to pay or insurance status; and

WHEREAS, over 125 children in Macon County are actively utilizing the services of Shriners Children's Greenville; and

WHEREAS, on August 4 and 5, 2023, the County of Macon and Town of Franklin congratulates the 80's Flashback Weekend/Shriners Children's Greenville and their devotion to providing high-quality specialty medical care to children and families; and

WHEREAS, Shriners Children's Greenville encourages all to commit to making their communities aware of services available and making it possible for us to continue improving the lives of children and families who need it most; and requests the citizens of Macon County and the Town of Franklin to join in this celebration;

NOW, THEREFORE, I, Paul Higdon, Chairman of the Macon County Board of County Commissioners, do hereby proclaim August 4 & 5, 2023 as special celebration of the 80's Flashback/Shriners Hospital Weekend in Franklin, North Carolina, and commend its observance to all citizens and visitors.

This the 11th Day of April, 2023.

MACON COUNTY

Paul Higdon, Chairman



PO Box 838
Sylva, NC 28779
828.586.6066

March 31, 2023

Joe Allen
Director of Planning
Macon County Dept. of Planning, Permitting, and Development
1834 Lakeside Drive
Franklin, NC 28734

RE: Gemstone Village
Franklin, NC

SUBJECT: REQUEST RELEASE OF PERFORMANCE GUARANTEES –PHASE 3 SECTION 1 INFRASTRUCTURE CONSTRUCTION

Mr. Allen:

On behalf of Snobar, LLC I am writing to confirm the construction of roads and the of utilities as shown for Phase 3 – Section 1 of the approved plans performed by Snobar, LLC and am requesting the release of remaining moneys provided by Snobar, LLC to Macon County for performance guarantees by and between Macon County and Snobar, LLC dated January 11, 2022.

If you have any questions, please contact me at your earliest convenience.

Sincerely,

W. Alec Stillwell, P.E.

Cc: Ms. Joanne Snider - Snobar, LLC



STATE OF NORTH CAROLINA
COUNTY OF MACON

AGREEMENT

This Agreement is made and entered into this the 11th day ~~JANUARY~~, 2022, by and between Macon County, a North Carolina Body Politic and Corporate, and Snobar, LLC ____, hereinafter "Developer".

WITNESSETH:

THAT WHEREAS, Macon County has an Ordinance known as the "Macon County Subdivision Ordinance" and the same was originally adopted on or about June 2, 2008, effective September 1, 2008, and the same has been amended and restated on October 12, 2021 (herein "Ordinance"); and

WHEREAS § 159.24 of said Ordinance and G.S. 160D-804.1 provides for performance guarantees at the time the plat is recorded to assure successful completion of required improvements to a subdivision; and

WHEREAS in accordance with Macon County Subdivision Ordinance § 159.24 and G.S. 160D-804.1(1) does require a Subdivider to obtain a performance guarantee which means any of the following: a) surety bond issued by a company authorized to do business in this State; b) letter of credit issued by any financial institution licensed to do business in this State; and c) other form of guarantee that provides equivalent security to a surety bond or letter of credit; and

WHEREAS, in accordance with Macon County Subdivision Ordinance § 159.24 and G.S. 160D-804.1(3), the performance guarantee shall be in the amount of 125% of the reasonably estimated cost of completion at the time the performance guarantee is issued; and

WHEREAS, Developer, in compliance with § 159.24 of the Macon County Subdivision Ordinance and G.S. 160D-804.1, desires to enter into such an agreement with Macon County to complete all required improvements for **Phase III Section 1 of Gemstone Village** Subdivision in Macon County, North Carolina, and does specifically agree to fully complete the following improvements to such subdivision as shown on attached Exhibit A, the same being incorporated herein by reference as if more fully set forth herein; and

WHEREAS, Developer agrees to cause a performance guarantee in the amount of \$ 189,185.00, as set forth in attached Exhibit B and in favor of Macon County in accordance with the provisions of the Macon County Subdivision Ordinance at the time the plat is recorded; and

WHEREAS, the parties hereto desire to enter into this Agreement in order to memorialize their agreement and to comply with the Ordinance above-referenced.

NOW THEREFORE, IN CONSIDERATION OF THE FOREGOING AND THE COVENANTS CONTAINED HEREIN, THE PARTIES HERETO DO AGREE AS FOLLOWS:

1. That in order to comply with the Macon County Subdivision Ordinance, Developer does hereby agree with Macon County to fully complete all of the improvements shown on attached Exhibit A, the same being incorporated herein by reference as if more fully set forth herein to the reasonable satisfaction of Macon County in connection with and to **Phase III Section 1 of Gemstone Village** Subdivision in Macon County, North Carolina, and in accordance with the terms of the Macon County Subdivision Ordinance referenced hereinabove.
2. That in order to comply with the Macon County Subdivision Ordinance, Developer does hereby agree to secure a performance bond in the form as set forth in attached Exhibit B, the same being incorporated herein by reference, in the amount of \$ 189,185.00 in connection with **Phase III Section 1 of Gemstone Village** Subdivision in Macon County, North Carolina, in order to insure the completion of the improvements as shown on attached Exhibit A, the same being incorporated herein by reference, to the reasonable satisfaction of Macon County and in accordance with the terms of the Macon County Subdivision Ordinance referenced hereinabove.
3. That the parties agree to and confirm the recitals set forth hereinabove.


This Agreement is made and entered into the day and year first above written.

Macon County

By:

Chairman, Macon County
Board of County Commissioners

Attest:


Clerk to the Board

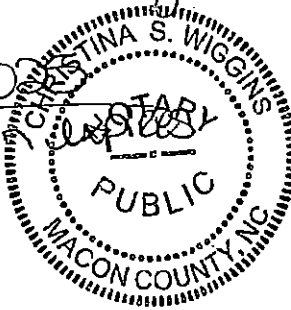
(County Seal)

SNOBAR, LLC

Developer

By James P. Arida
Managing member
Authorized Representative,

Christina S. Wiggins

6-29-2008
my commission expires


PAYMENT SUMMARY RECEIPT

MACON COUNTY
5 WEST MAIN STREET
FRANKLIN NC 28734

DATE: 01/13/22 CUSTOMER#: 0000000000
TIME: 15:54
CLERK: twiggins

RECPT#: 179832 PREV BAL: 189185.00
TP/YR: MS/2022 AMT PAID:
BILL: ADJSTMT:
EFF DT: 01/13/22 BAL DUE:
MISCELLANEOUS PAYMENT

-----TOTALS-----

PRINCIPAL PAID: 189185.00
INTEREST PAID: .00
ADJUSTMENTS: .00
DISC TAKEN: .00
AMT TENDERED: 189185.00
AMT APPLIED: 189185.00
CHANGE: .00

PAID BY: SNOBAR, LLC
PAYMENT METH: CHECK
PAYMENT REF: 023167

Phase III
Section 1 88 Gemstone Village

DO NOT ACCEPT UNLESS THIS CHECK IS PRINTED WITH A COLOR BACKGROUND CONTAINS A VOID PANTOGRAPH, MICROPRINTING FACE AND BACK, UV FIBERS AND A WATERMARK ON THE REVERSE SIDE



Macon County
5 West Main Street
Franklin, NC 28734

Wells Fargo Bank, N.A.

This disbursement has been approved as required
by the Local Government Budget and Fiscal Control Act.

Vendor
Number
23040

Check
Date
07/22/2022

Check
Number
11241210
00819406

VOID 60 DAYS FROM DATE OF ISSUE

\$487,500.00

Pay Four Hundred Eighty Seven Thousand Five Hundred Dollars and 00 cents *****

To The
Order Of

SNOBAR, LLC
PO BOX 61
FRANKLIN NC 28744

00819406

[Signature]
Authorized Signature
[Signature]
Authorized Signature

⑈00819406⑈ ⑆121000248⑆ 2000024902920⑈

Macon County, 5 West Main Street, Franklin, NC 28734

Check Number: 00819406

Invoice Date	Invoice Number	Description	Invoice Amount
07/19/2022	07122022-A	REFUND SURETY BOND PHASE 1.11	\$114,383.00
07/19/2022	07122022	REFUND SURETY BOND PHASE 1	\$373,117.00

Vendor No. Vendor Name Check No. Check Date Check Amount

Mike Decker

From: R. Patrick Betancourt <pbetancourt@maconnc.org>
Sent: Monday, April 03, 2023 8:33 AM
To: 'Mike Decker'
Cc: 'Gary Shields'; shelly.foreman@vayahealth.com; Derek Roland
Subject: FW: Time Sensitive: Follow-Up from Vaya Health Region One Board meeting/ Need you Support to Oppose HB340/SB156- Proposed State-wide Child & Family Medicaid Specialty Waiver unencrypt
Attachments: Macon BOC CFSP letter.pdf

Mike,

Following the Vaya Health Region 1 County Commissioner Advisory Board this past week, an action item from that meeting was to request a resolution from the County Commissioners opposing HB 340 and a request a signed letter to DHHS Secretary Kinsley indicating the same. This is the same legislation that the last year's Board opposed (attached). Its passage this year would do a great deal of damage to our child welfare system in North Carolina. Please place the agenda item *Opposition to HB 340 Resolution* on for April's meeting. Shelly Foreman and I will be presenting on that issue. I will forward an updated letter to Sec. Kinsley for Chairman Higdon's signature if the Board votes to oppose. Thanks.



R. Patrick Betancourt, Director
Macon County Dept. of Social Services
1832 Lakeside Dr.
Franklin, NC 28734-6778
Office: 828-349-2130 | Mobile: 919-594-7398 | Fax: 828-349-2401
<https://www.maconnc.org/dss.html>

Our Mission: Partnering to promote, protect, and strengthen our community.

NOTICE: E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law (N.C. Gen. Stat. § 132-1 et. seq.) and may be disclosed to third parties by an authorized official. Unauthorized disclosure of juvenile, health, legally privileged, or otherwise confidential information, including confidential information relating to a public assistance case, is prohibited by law. If you have received this e-mail in error, please notify the sender immediately and delete all records of this e-mail.

From: Shelly Foreman <Shelly.Foreman@vayahealth.com>
Sent: Tuesday, March 28, 2023 1:40 PM
To: Derek Roland <droland@maconnc.org>; Gary Shields (garymshields@yahoo.com) <garymshields@yahoo.com>; pbetancourt@maconnc.org
Subject: Time Sensitive: Follow-Up from Vaya Health Region One Board meeting/ Need you Support to Oppose HB340/SB156- Proposed State-wide Child & Family Medicaid Specialty Waiver unencrypt

Hello All:

Thank-you for attending yesterday's Vaya Region One Board meeting. I am attaching the additional document that was shared at meeting. I am also asking for the BOC to approve this 2nd letter in opposition of HB340/SB156, which is the NCDHHS State-Wide Child and Youth Medicaid Specialty Waiver. **I will follow up to see if you need me to speak on this request.** I am attaching the current template for a letter we ask the Board

to consider, along with the letter the Board wrote last year. We would also like for Senator Corbin and Representative Gillespie get a copy of this letter. I am also working to receive a letter from our DSS Directors, and would invite you to discuss with Patrick.

As you may know, NCDHHS has now moved its proposal for a state-wide Child & Family Specialty Medicaid Waiver (CFSP) for children and adults in the child welfare system. This Waiver would place many kids in the DSS In-Home and Foster Care System, their caregivers and siblings into a single state-wide Medicaid Health Plan, instead of their assignments now with Vaya Health/other LME/MCO's across the State. This would mean each DSS would lose its local relationship and connection with Vaya Health, along with the Vaya staff embedded in DSS, and contacts with local Vaya staff who support them in troubleshooting and problem solving on cases.


I know you were able to offer support this time last year, and wrote letters to Secretary Kinsley regarding your **concerns with a private insurance company, operating state-wide**, being able to have a responsive approach to DSS. I am sending you a reminder presentation of the key concerns of the proposed Waiver, the letters you sent to Secretary Kinsley last year, and a draft letter of support we are asking you to provide again, both County. This support delayed the Waiver from moving forward, but was finally introduced into Senate and House in the last several weeks. S

Shelly Foreman, MPA
Community Relations Regional Director
VAYA Health
200 Ridgefield Court, Asheville NC 28806
O:828.586.5501 x 1219 C:828.508.9672
E: shelly.foreman@vayahealth.com

Behavioral Health Crisis Line: 1-800-849-6127 (24/7/365)
Member and Recipient Service Line: 1-800-962-9003
Monday-Saturday, 7:00 am – 6:00 pm



www.vayahealth.com

Connect with us 

CONFIDENTIALITY NOTICE: *This message is intended exclusively for the individual or entity to which it is addressed, and may contain information that is proprietary, privileged, confidential or otherwise legally exempt from disclosure, including protected healthcare information. If you are not the named addressee, you are not authorized to read, print, retain, copy or disseminate this message or any part of it. If you have received this message in error, please notify the sender immediately either by phone (828-225-2785) or reply to this e-mail, and delete all copies of this message.*

WARNING: Any email sent to and from this email account may be subject to the NC Public Records Law and may be disclosed to third parties. Any views or opinions presented in this email are solely those of the author and do not necessarily represent those of Vaya Health. The contents of this email and any attachments are not intended to create a binding contract unless subsequently confirmed with a written instrument signed by a legally authorized representative of

Vaya Health. Please check this email and any attachments for the presence of viruses. Vaya Health accepts no liability for any loss or damage arising from the use of this email or attachments.

Macon County



April 7, 2022

Secretary Kody H. Kinsley
N.C. Department of Health and Human Services
2001 Mail Service Center
Raleigh, NC 27699-2000

Dear Secretary Kinsley:

As a commissioner in Macon County, the well-being of the children and families who reside there matters deeply to me. It matters to the Department of Social Services staff who work tirelessly to help bring strength and stability to families. It matters to the people at Vaya Health, our LME/MCO, who collaborate with providers, stakeholders, and state and local agencies to continue to improve and expand access to much-needed services and supports close to home. And I believe it matters to you and the dedicated individuals you lead at the Department of Health and Human Services who seek to improve the health, safety, and well-being of all North Carolinians.

The intense scrutiny North Carolina's public behavioral health and child welfare systems have faced in recent years is understandable. Children and families served by those systems have a right to quality care, but there is no standard, "one-size-fits-all" approach. The systems are not perfect, yet Vaya's collaborative efforts have built a solid foundation of stable, personalized, community-based care, with dedicated local providers who are deeply rooted in the communities they serve.

As proposed, the CFSP does not leverage the existing strengths of the LME/MCO system, or the resources already invested by the State of North Carolina into the Behavioral Health and I/DD Tailored Plan model. Vaya Health and other LME/MCOs have already been at work over the last several years on several of the initiatives outlined in the Child Welfare and Family Well-being Transformation Team's action plan and will carry that work into their Behavioral Health and I/DD Tailored Plan efforts. Recently, Vaya's Chief Population Health Officer, Rhonda Cox, was instrumental in helping to shape Transforming Child Welfare and Family Together: A Coordinated Action Plan for Better Outcomes, bringing her decades of experience with creating local solutions to the effort. Establishing an additional, separate statewide health plan to carry out those initiatives for a population currently receiving many of the same services

through existing NC Medicaid plans is not in the best interest of children and families and creates an increased risk for service and system fragmentation, as well as staffing shortages—especially in the rural parts of the state where staffing is already a challenge. A better idea is to implement the action plan by building on what the LME/MCOs have done.

Just as one turns to a trusted contractor when building a house, our communities rely on local agencies and organizations to help build well-being. In North Carolina, these agencies and organizations make up our state's public health system. Although under renovation through Medicaid Transformation, our system has a strong foundation with Vaya Health—one built to offer stability and well-being to the children and families it serves. This kind of care will continue through regional Behavioral Health and I/DD Tailored Plans when they launch in December and building upon those established foundations will provide the time and support needed to succeed for our children.

Therefore, I ask that NCDHHS delay issuance of the CFSP Request for Proposal as described in the Feb. 18, 2022 Policy Paper, and instead consider a model that allows for regional plans aligned with the existing LME/MCO regions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Tate', with a long horizontal line extending to the left.

Jim Tate
Chairman, Macon County Board of Commissioners

STATE OF NORTH CAROLINA
COUNTY OF MACON

OFFER TO PURCHASE AGREEMENT

THIS OFFER TO PURCHASE AGREEMENT is made and entered into by and between MACON COUNTY hereinafter referred to as "Seller", and CCJS, LLC, a North Carolina Limited Liability Company, as "Buyer".

WITNESSETH:

WHEREAS, Seller is the owner of that 3.76 +/- acre tract of real property with a physical address of 388 Bethel Church Rd, Franklin, NC bearing PIN# 7504-48-4670 and more particularly described in Book V-23, Page 655 of the Macon County Registry; and

WHEREAS, Buyer has offered to purchase the above described property for \$55,350, which the County Commissioners have resolved is a fair and acceptable price; and

WHEREAS, Buyer is aware that Seller is required to comply with the Upset Bid Process of the Sale of Public Lands pursuant to NCGS 160A-269.

NOW THEREFORE, the acceptable Terms of the Purchase are as follows:

1. The Purchase Price shall be \$55,350, unless a higher bid is received by the County during the Upset Bid period.

2. Buyer is required to deposit the sum of 5% of the bid (\$276.75) in certified funds with the Macon County Finance Office, c/o Ms. Lori Carpenter, 5 W. Main St. Franklin, NC 28734 with the acceptance of this Offer by the Seller.

3. The County shall comply with the Upset Bid Procedure of NCGS 160A-269. Any upset bids received by the County within the 10 days set forth in the Notice of Proposed Sale in the local newspaper shall be required to raise the bid by a minimum of 10% for the first one thousand dollars and 5% of the remainder. By way of example, the first upset bid made shall raise the bid by a minimum of \$2,817.50 or \$58,167.50.

4. Closing shall take place within 30 days after the Completion of the Upset Bid Process as set forth in NCGS 160A-269.

5. The property shall be conveyed by Special Warranty Deed.

6. The contact information for the Buyer is:

CCJS, LLC
Attn. Chris Cook
80 Amber Drive
Franklin, NC 28734
(828) 371-1768
chriscookinc16@yahoo.com

7a. The contact information for the Seller for questions about the sale is:

MACON COUNTY
Attn. Macon County Attorney, Eric Ridenour
(828)586-3131
eric@sylvalawyers.com

7b. The contact information for the Seller for questions about the deposit of bid bond is:

MACON COUNTY
Attn. Finance Director, Lori Carpenter
(828) 349-2027
lhall@maconnc.org

IN WITNESS WHEREOF, the parties have set their hands and seal on this the day and year last signed below.

SELLER:

MACON COUNTY

Paul Higdon, Chairman

Date

Attest:

Derek Roland, Clerk to the Board

Date

BUYER:

CCJS, LLC, A North Carolina Limited Liability Company

Chris Cook, Member

Date

STATE OF NORTH CAROLINA
COUNTY OF MACON

RESOLUTION ACCEPTING BID and
AUTHORIZATION OF UPSET BID PROCESS FOR SALE OF SURPLUS PROPERTY

WHEREAS, North Carolina General Statute §160A-269 permits the County of Macon to sell property by advertisement and upset bids after receipt of an offer for property has been made; and

WHEREAS, the County has received an Offer to Purchase the property described as that 3.76 +/- acre tract of real property with a physical address of 388 Bethel Church Rd, Franklin, NC bearing PIN# 7504-48-4670 and more particularly described in Book V-23, Page 655 of the Macon County Registry for the purchase price of \$55,350.00.

THEREFORE, THE BOARD OF COMMISSIONERS OF MACON COUNTY, NORTH CAROLINA RESOLVES THAT:

1. The Board of Commissioners authorizes sale of the Property pursuant to the upset bid procedure set forth in North Carolina General Statute §160A-269.
2. The Clerk to the Board shall cause a notice of the proposed sale to be published. The notice shall describe the Property and the amount of the offer, and shall state the terms under which the offer may be upset.
3. Persons wishing to upset the offer that has been received shall submit a qualifying increased bid to the office of the Finance Director within ten (10) days after the notice of sale is published.
4. If a qualifying increased bid is received, the Clerk to the Board shall cause a new notice of upset bid to be published, and shall continue to do so until the 10 day period has passed without any qualifying upset bid having been received. At that time, the amount of the final high bid shall be reported to the County Board of Commissioners.
5. A qualifying increased bid is one that raises the existing offer by not less than ten percent (10%) of the first \$1,000.00 of that offer and five percent (5%) of the remainder of that offer.
6. A qualifying increased bid must also be accompanied by a deposit in the amount of five percent (5%) of the bid; the deposit may be made to the Clerk to the Board in cash, cashier's check, certified check, or other immediately available funds. The County will return the deposit on any bid not accepted, and will return the deposit on an offer subject to upset if a qualifying higher bid is received. The County will return, or credit the deposit of the final high bidder at closing.

7. The procedure set out herein shall be repeated until no further qualifying upset bids are received, at which time the Board of County Commissioners may accept the offer and sell the property to the highest bidder. The Board of County Commissioners may at any time reject any and all offers and/or withdraw the property from sale prior to the approval of the final high offer.
8. The buyer must pay with cash, or other good funds, at the time of closing, if and when the final high offer is approved by the Macon County Board of Commissioners.
9. The appropriate County officials are authorized to execute the instruments necessary to convey the Property to the highest bidder if and when the County Board of Commissioners approves the offer from the final high bidder.

Adopted this 11th day of April, 2023

MACON COUNTY, NORTH CAROLINA

Paul Higdon
Chairman of the Macon County Board of Commissioners

ATTEST:

Derek Roland, Clerk to the Board
(SEAL)

Macon County Vehicle/Equipment Policy

I. Purpose

This policy establishes uniform vehicle/equipment use practices for all county employees and Departments to ensure safe and efficient use of public property, with the exception of Macon Transit Authority employees. Transit Authority employees shall be subject to the Macon County Transit policy.

II. Overview

Certain employees in various departments may be required to use/operate county vehicles/equipment during work hours. County vehicles/equipment are assigned to one or more employees for their primary use during the workday. At the end of the workday, all county vehicles/equipment are to be parked in their assigned parking area unless specifically exempted by the Department Director.

III. Procedure

Overnight Assignment:

Authorized employees may use county vehicles overnight when the best interest of the public is served by providing county employees with safe, dependable transportation for extensive travel during or after working hours, for after-hours response to emergency requests for service, or for an approved, official purpose as determined by the Department Head. Authorization for use of county vehicles overnight may be granted by the Department Head to specified employees based on the following criteria:

- A. Employees whose regular duties require frequent use of a county vehicle overnight and whose responsibilities involve emergency response, after-hours response, evening and weekend duties, public meetings, or other business activities.
- B. Employees assigned to stand-by duty who are subject to call or who respond to service requests.
- C. Employees on temporary overnight assignment by his/her Department Director for emergencies or an approved, official purpose.
- D. Employees expected to respond when called after hours unless specifically excused due to authorized leave.

IV. Usage

- A. County vehicles/equipment shall be used for official county business only.

- B. County vehicles shall not be used for the convenience of the employee with regard to transportation needs or other non-business activities, other than commuting or de Minimis personal use (such as a stop for a personal errand between a business delivery and the employee's home).
- C. Alcoholic beverages are not permitted in county vehicles/equipment at any time; however, law enforcement personnel may transport lawfully confiscated alcoholic beverages.
- D. The use of tobacco, in any form, and the use of vape devices or electronic cigarettes is prohibited in county-owned vehicles/equipment.
- E. Hands-free operation of cell phones and other mobile devices (i.e. navigation devices) is required while operating county-owned vehicles/equipment. Operation of a cell phone or other mobile device to send or read text messages, emails, or typing multiple letters or text in the device while driving is illegal in North Carolina (NCGS 20-137.4A) except by law enforcement officers, firefighters, or ambulance drivers while performing their official duties.
- F. Each Department Director shall maintain a list of county vehicles/equipment assigned for overnight use, and provide the Garage Supervisor and County Manager with that list upon request. This list must include the driver's name and driver's license number.
- G. County vehicles shall not be driven to an out-of-county residence if used by an employee for commuting to and from work unless specifically authorized by the Director of Human Resources
- H. The Department Director of each department shall report to the Garage Supervisor the mileage of each county vehicle annually or upon request. The Department Director shall immediately notify the Garage Supervisor and County Manager of any driver changes to assigned vehicles. Failure to report mileage and driver changes may result in the revocation of an assigned vehicle.

V. Driver's Responsibilities

- A. Employees shall operate county vehicles/equipment in a safe and courteous manner.
- B. Employees shall not exceed the speed limit unless in pursuit or emergency. Seat belts shall be worn by the driver and all passengers at all times during the operation of county vehicles/equipment unless providing emergency care to a passenger (such as in an ambulance).

- C. Non-county employees are not allowed to operate or ride in a county-owned vehicle/equipment without prior approval from the Human Resources Director. Non-county employees may accompany County employees in County cars when they have a business interest in the travel and if they are covered by workmen's compensation by their employer with approval of the Human Resources Director. Due to insurance limitations and regulations no other passengers are permitted unless operating in an official capacity. Note: Student interns are permitted as a passenger, and the Sheriff's Department, Emergency Medical Services Department, Emergency Management Department, and Department of Social Services are exempt from this when providing emergency assistance to citizens.
- D. Employees driving county vehicles/equipment are required to have a current driver's license as required by North Carolina General Statutes, regardless of whether the employee drives the county vehicle/equipment on a regular, temporary or occasional basis.
- E. Violations, citations, fines, and other actions taken by any police jurisdiction against any employee while driving a county vehicle/equipment shall be the responsibility of the employee and may be cause for disciplinary action by the county.
- F. Employees shall notify his/her department director of any points incurred on their driver's license for situations including, but not limited to, accidents, speeding tickets, driving under the influence, and driver's license suspensions or revocations. Department Director shall forward the information to the County Manager.
- G. Employees shall not drive county-owned vehicles/equipment if they are using alcoholic beverages or prescription and/or non-prescription drugs which may impair driving ability.
- H. An employee must report to the designated testing site for alcohol and drug testing immediately following an accident or be subject to termination. The primary and preferred testing site is Macon County Public Health located at 1830 Lakeside Drive, Franklin, NC (828-349-2081). The secondary testing site is Smoky Mountain Urgent Care located at 195 Franklin Plaza, Franklin, NC (828-634-7745). After hours or when neither the primary nor secondary testing sites are available, the employee shall report to the Emergency Department at Angel Medical Center located at One Center Court, Franklin, NC (828-524-8411).
- I. Employees assigned county-owned vehicles shall take proper care of the interior and exterior appearance and servicing of county-owned vehicles at the scheduled times and/or every 5,000 miles. Failure to do so may result in

disciplinary action. Upholding the maintenance requirement is the responsibility of the Department Director.

- J. The vehicle/equipment operator is responsible for routinely checking for proper oil level, water and antifreeze levels, wear on belts and adequate inflation of tire consistent with specifications in the vehicle/equipment manual. The Garage Supervisor will provide training as needed.
- K. When any County vehicle/equipment is involved in an accident or otherwise damaged, particulars of the employee and the details of the accident and damages shall be reported to your supervisor or department/agency director. The department/ agency director will forward the completed Vehicle Accident Report along with the police report to insuranceclaims@maconnc.org. If the employee is injured you will also need to follow up with worker's comp reporting procedures (see Workers Comp Manual). The Department Head or designee will notify the County Garage of the accident and make arrangements for the repairs.

VI. County Responsibilities

- 1. Driving records shall be evaluated by the Department of Human Resources before assignment of a county-owned vehicle/equipment or no less than annually based on the North Carolina Division of Motor Vehicles standards. Throughout the year, the County may randomly select employees to check their driving records. An employee who has motor vehicle violation (s) resulting in accumulation of six (6) or more points during a three-year period shall not be permitted to drive a county-owned vehicle/equipment until the points have been reduced or removed from their driver's history.

Prior to offering employment to a prospective employee, the Department of Human Resources shall:

- A. Confirm the prospective employee holds a valid driver's license for any position that requires operation of a motor vehicle/equipment.
- B. Obtain a driver's history (MVR) from the North Carolina Division of Motor Vehicles simultaneously with the pre-employment background check. MVRs will be obtained annually thereafter for all employees authorized to drive. Management will determine the acceptability of a driver's MVR.
- C. Confirm that a prospective employee holds a valid Commercial Driver's License for any positions requiring a CDL.
- D. Obtain and review the motor vehicle records of at least the last three years of all employees who operate county-owned vehicles/equipment. Periodic driving

histories shall be obtained to confirm or deny a possible license suspension, revocation or conviction(s) for accidents and/or motor vehicle violations. A poor driving history or failure to report a driving citation issued to a County employee may result in termination, demotion, or suspension of County driving privileges.

- E. Call a meeting of the Accident Review Board within 60 days of an accident involving a county-owned vehicle/equipment.

The Department of Human Resources may indiscriminately select employees occupying safety-sensitive positions (drivers, medical care providers, law enforcement officers, heavy equipment operators, etc.) and/or the performance of their job duties require driving on a **regular** basis who operate county-owned vehicles or heavy equipment to undergo random drug testing. The Macon County Human Resources Department may select employees on a random basis.

Macon County Department Directors shall:

- A. Acquire and provide to the Safety Officer or Human Resources Director with proof of insurance and proof of an active, current driver's license for any employee who receives reimbursement for personal vehicle mileage. An employee's personal vehicle insurance is the primary coverage in the event an employee has an accident while performing his/her duties as a Macon County Employee in their personal vehicle. Macon County's insurance policy acts as the secondary coverage once the limits are met under an employee's policy.
- B. Administer this County Policy properly in regard to all county vehicles/equipment in his or her department. The method for financing the fleet will be an annual decision made by the Finance Director and the Garage Supervisor and taken to the Board of County Commissioners for approval. It is the intention that once vehicles/equipment are assigned, they remain with the position based on the justification for the vehicle/equipment. If high mileage is an issue, replacement arrangements will be made in advance of the acquisition.

VII. Violations

Violations of this policy are considered a misuse of county property. Employees misusing or abusing county-owned vehicles/equipment may be subject to appropriate disciplinary action, up to and including dismissal.

VIII. Need-Based Approvals

- A. County Departments must justify the need for a county-owned vehicle based on whether a vehicle will be used a minimum of 12,000 miles per year. The cost benefit of paying an employee mileage for use of the personal vehicle versus use of a county-owned vehicle must be documented before a county-owned vehicle is considered.
- B. Evaluation of the ongoing need for county-owned vehicles/equipment assigned to a

department will be made on an annual basis before bidding for new county vehicles/equipment.

- C. The County Board of Commissioners must approve all new vehicle/equipment purchases and requests for a vehicle/equipment from the surplus list when that vehicle/equipment increases the fleet assigned to a department.
- D. Public Safety and special use vehicles/equipment required for a specific job function will be considered based on need, usage, and cost-benefits over the life of the vehicle/equipment versus mileage limitations.
- E. Each Department Director shall send the Garage Supervisor a written request for a vehicle/equipment to be classified as “special use” (a vehicle/equipment used for one purpose such as a wrecker). If the request is granted, the vehicle/equipment shall be coded as “special use” in the vehicle/equipment maintenance program.
- F. The County Manager may, at the request of the Garage Supervisor, remove or recall any county vehicle/equipment from a department for one of the following:
 - 1. The vehicle/equipment does not meet the minimum mileage requirements, excluding “special use” vehicles/equipment.
 - 2. Vehicle/equipment abuse, which includes but is not limited to, inadequate care or maintenance and damage to a vehicle/equipment caused by disregard or improper use.
 - 3. The termination of an employee or position with an assigned vehicle/equipment that will not be replaced within a reasonable time period.
 - 4. A Department Director may submit a written request to the Garage Supervisor to justify retention of a vehicle/equipment removed or recalled because of underutilization.
 - 5. Exemptions must be considered prior to removing or recalling a county-owned vehicle/equipment from a department based on funding guidelines used in purchasing the vehicle/equipment (such as grants, state funding, etc.)
- G. A Department shall turn in the old vehicle/equipment before receiving a replacement vehicle/equipment to prevent unnecessary growth of the fleet. Any exception to this policy requires approval by the County Board of Commissioners.
- H. A Department Director shall complete a vehicle/equipment change form in the Garage Services Department for action needed such as purchase, sale, disposal, or transfer of vehicle/equipment.

IX. Accidents

A. Macon County shall have an accident Review Board, comprised of the following individuals to evaluate all accidents involving a Macon County-owned vehicle/equipment. The purpose of the Vehicle Safety Review Board shall be:

1. To establish a fair and impartial review system for all vehicular accidents involving County employees resulting in injuries and/or property damage. With the primary objective being to improve the overall safety of County operations.
2. To establish the cause for each reviewed accident, and determine whether preventable or non-preventable.
3. To establish uniformity of discipline.
4. To make recommendations for corrective action to Department Directors, County Manager and/or the County Board of Commissioners.

B. The Accident Review Board will include:

Co-Chairpersons:

Safety Officer

Garage Supervisor

Members:

Sheriff's Department Safety Officer

Human Resources Director

Emergency Services Director

Health Director

Transit Director

Risk Management

Three (3) Regular Non-Exempt Employees

C. The Vehicle Accident Review Board shall be convened within sixty (60) days of the date of the accident and shall review the investigating officer's report, the employee's statement and other information prior to hearing an oral presentation by the employee.

D) At the time of the hearing, the employee may wish to present supporting material or witnesses to help in his/her defense.

E) The review and consideration of an accident by the Board will include the following elements:

- The past driving record of the employee
- The report of the investigating officer
- Oral presentation by the employee
- Supporting materials or testimony of witnesses

F) If it is clear that the employee is not at fault and could not have prevented the accident, the Board may rule the accident non-preventable and it will not be charged (See Points chart) to the employee.

G) Decision of the Board

Upon reviewing all the details of the accident and meeting with the employee in question, the Accident Review Board shall meet privately to reach a decision. When a majority decision has been reached by the Board, the decision will be communicated to the department/agency head. If the board decides that the driver was at fault or he/she displayed unsatisfactory job performance, it will be the department/agency director's responsibility to see that the decision is carried out according to the Macon County Personnel Policy.

This policy shall be effective beginning July 1, 2023.

Adopted this the _____ day of _____, 2023

Derek Roland, Manager
Macon County

Paul Higdon, Chairman
Macon County Board of Commissioners

RECORDS RETENTION AND DISPOSITION SCHEDULE

GENERAL RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES



Issued By:



NC DEPARTMENT OF
NATURAL AND CULTURAL RESOURCES

North Carolina Department of Natural and Cultural Resources
Division of Archives and Records
Government Records Section

October 1, 2021

CONTENTS

<u>Approval</u>	iv
-----------------------	----

Front Matter

<u>Executive Summary</u>	v
<u>Legend for Records Schedule</u>	vii

Records Retention and Disposition Schedule

<u>Standard 1: Administration and Management Records</u>	1
<u>Standard 2: Budget, Fiscal, and Payroll Records</u>	23
<u>Standard 3: Geographic Information System Records</u>	36
<u>Standard 4: Human Resources Records</u>	43
<u>Standard 5: Information Technology Records</u>	61
<u>Standard 6: Legal Records</u>	67
<u>Standard 7: Public Relations Records</u>	75
<u>Standard 8: Risk Management Records</u>	80
<u>Standard 9: Workforce Development Records</u>	86

Appendix

<u>Managing Public Records in North Carolina</u>	A-1
<u>Audits, Litigation, and Other Official Action</u>	A-5
<u>Transitory Records</u>	A-6
<u>Destruction of Public Records</u>	A-8
<u>Sample Destructions Log</u>	A-10
<u>Electronic Records: E-mail, Born Digital Records, and Digital Imaging</u>	A-11
<u>Geospatial Records</u>	A-13
<u>Security Preservation Copies of Records</u>	A-15
<u>Disaster Assistance</u>	A-17
<u>Staff Training</u>	A-18
Request Forms	
<u>Request for Change in Records Schedule</u>	A-19
<u>Request for Disposal of Unscheduled Records</u>	A-20
<u>Request for Disposal of Original Records Duplicated by Electronic Means</u>	A-21
<u>File Plan</u>	A-22
<u>Related Records Series in Program Schedules</u>	A-23
<u>Index</u>	A-30

EXECUTIVE SUMMARY

- ✓ Some records are covered by the Local Agency Program Retention and Disposition Schedules. See the appendix for Related Records Series Found in Local Agency Program Schedules.
- ✓ According to N.C. Gen. Stat. § 121-5(b) and N.C. Gen. Stat. § 132-3, you may destroy public records only with the consent of the Department of Natural and Cultural Resources (DNCR). The State Archives of North Carolina is the division of DNCR charged with administering a records management program. This schedule is the primary way the State Archives of North Carolina gives its consent. Without approving this schedule, your agency is obligated to obtain the State Archives of North Carolina's permission to destroy *any* record, no matter how insignificant.
- ✓ Each records series listed on this schedule has specific disposition instructions that will indicate how long the series must be kept in your office. In some cases, the disposition instructions are simply "retain in office permanently," which means that those records must be kept in your office forever. In other cases, the retention period may be "destroy in office when reference value ends." An agency may have reference copies of materials, meaning "a copy of a record distributed to make recipients aware of the content but not directing the recipient to take any action on the matter" (from Society of American Archivists, *Dictionary of Archives Terminology*). Your agency must establish and enforce internal policies by setting minimum retention periods for the records that the State Archives of North Carolina has scheduled with the disposition instructions, "destroy when reference value ends."
- ✓ E-mail is a record as defined by N.C. Gen. Stat. § 121-5 and N.C. Gen. Stat. § 132. It is the content of the e-mail that is critical when determining the retention period of a particular e-mail, including attachments, not the media in which the record was created. It is important for all agency employees and officials to determine the appropriate records series for specific e-mails and retain them according to the disposition instructions listed with the identified record series.
- ✓ The State Archives of North Carolina recommends that all agency employees and officials view the tutorials that are available online through the State Archives website in order to familiarize themselves with records management principles and practices. The State Archives of North Carolina's online tutorials include topics such as records management and scanning guidelines.
- ✓ The State Archives of North Carolina creates security preservation record copies for minutes and selected other records of governing bodies and commissions, adoption records, and maps and plats. Agencies can request copies of the digital images made during this process. Contact the appropriate Records Management Analyst to begin this process.

- ✓ If you have records that are not listed in this schedule, contact a Records Management Analyst. An analyst will discuss the nature of the records with you to determine if the records have historical value. If the records do not have historical value, we will ask you to complete a Request for Disposal of Unscheduled Records (page A-20) for records that are no longer being created.

2021 General Records Schedule: Local Government Agencies

The records retention and disposition schedules and retention periods governing the records series listed herein are hereby approved. This approval extends to and includes the following standards in the **2021 General Records Schedule: Local Government Agencies**:

1. Administration and Management Records
2. Budget, Fiscal, and Payroll Records
3. Geographic Information System Records
4. Human Resources Records
5. Information Technology Records
6. Legal Records
7. Public Relations Records
8. Risk Management Records
9. Workforce Development Records

In accordance with the provisions of Chapters 121 and 132 of the *General Statutes of North Carolina*, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement.

Destructions

G.S. § 121-5 authorizes the Department of Natural and Cultural Resources to regulate the destruction of public records. Furthermore, the local government agency agrees to comply with 07 NCAC 04M .0510 when deciding on a method of destruction. The North Carolina Administrative Code states:

“(a) Paper records which have met their required retention requirements and are not subject to legal or other audit holds should be destroyed in one of the following ways:

1. burned, unless prohibited by local ordinance;
2. shredded, or torn up so as to destroy the record content of the documents or material concerned;
3. placed in acid vats so as to reduce the paper to pulp and to terminate the existence of the documents or materials concerned; or
4. sold as waste paper, provided that the purchaser agrees in writing that the documents or materials concerned will not be resold without pulverizing or shredding the documents so that the information contained within cannot be practicably read or reconstructed.

(b) When used in an approved records retention and disposition schedule, the provision that electronic records are to be destroyed means that the data and metadata are to be overwritten, deleted, and unlinked so the data and metadata may not be practicably reconstructed.

(c) When used in an approved records retention and disposition schedule, the provision that confidential records of any format are to be destroyed means the data, metadata, and physical media are to be destroyed in such a manner that the information cannot be read or reconstructed under any means.”

All local government agencies should maintain logs of their destructions either in the minutes of their governing board or in their Records Management file. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed.

Public records, including electronic records, not listed in this schedule are not authorized to be destroyed.

Audits and Litigation Actions

Records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule.

Electronic Records

All local government agencies and the Department of Natural and Cultural Resources concur that the long-term and/or permanent preservation of electronic records requires additional commitment and active management by the agency. Agencies agree to comply with all policies, standards, and best practices published by the Department of Natural and Cultural Resources regarding the creation and management of electronic records.

Local government agencies should consider retention requirements and disposition authorities when designing and implementing electronic records management systems. Any type of electronically-created or electronically-stored information falls under the North Carolina General Assembly's definition of public records cited above. For example, e-mail, text messages, blog posts, voicemails, websites, word processing documents, spreadsheets, databases, and PDFs all fall within this definition of public records. In addition, G.S. § 132-6.1(a) specifies:

“Databases purchased, leased, created, or otherwise acquired by every public agency containing public records shall be designed and maintained in a manner that does not impair or impede the public agency's ability to permit the public inspection and examination of public records and provides a means of obtaining copies of such records. Nothing in this subsection shall be construed to require the retention by the public agency of obsolete hardware or software.”

Local government agencies may scan any paper record and retain it electronically for ease of retrieval. If an agency wishes to destroy the original paper records before their assigned retention periods have been met, the agency must establish an electronic records policy, including putting into place procedures for quality assurance and documentation of authorization for records destructions approved by the Government Records Section. This electronic records policy and releases for destruction of records must be approved by the Government Records Section. Agencies should be aware that for the purpose of any audit, litigation, or public records request, they are considered the records custodian obligated to produce requested records, even if said records are being maintained electronically by an outside vendor. Therefore, contracts regarding electronically stored information should be carefully negotiated to specify how records can be exported in case a vendor goes out of business or the agency decides to award the contract to a different vendor.

Reference Copies

All local government agencies and the Department of Natural and Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods that allow these records to be destroyed when “*reference value ends*.” All local government agencies hereby agree that they will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction “*destroy when reference value ends*.” If a local government agency does not establish internal policies and retention periods, the local government agency is not complying with the provisions of this retention schedule and is not authorized by the Department of Natural and Cultural Resources to destroy the records with the disposition instruction “*destroy when reference value ends*.”

Record Copy

A record copy is defined as “The single copy of a document, often the original, that is designated as the official copy for reference and preservation.”¹ The record copy is the one whose retention and disposition is mandated by this schedule; all additional copies are considered reference or access copies and can be destroyed when their usefulness expires. In some cases, postings to social media may be unofficial copies of information that is captured elsewhere as a record copy (e.g., a press release about an upcoming agency event that is copied to various social media platforms). Appropriately retaining record copies and disposing of reference copies requires agencies to

¹ Society of American Archivists, *Dictionary of Archives Terminology*.

designate clearly what position or office is required to maintain an official record for the duration of its designated retention period.

Transitory Records

Transitory records are defined as “record[s] that [have] little or no documentary or evidential value and that need not be set aside for future use.”²

North Carolina has a broad definition of public records. However, the Department of Natural and Cultural Resources recognizes that some records may have little or no long-term documentary or evidential value to the creating agency. These records are often called transitory records. They may be disposed of according to the guidance below. However, all public employees should be familiar with their appropriate retention schedule and any other applicable guidelines for their office. If there is a required retention period for these records, that requirement must be followed. When in doubt about whether a record is transitory or whether it has special significance or importance, retain the record in question and seek guidance from a DNCR records analyst.

Routing slips and transmittal sheets adding no information to that contained in the transmitted material have minimal value after the material has been successfully transmitted. These records may be destroyed or otherwise disposed of after receipt of the material has been confirmed. Similarly, “while you were out” slips, memory aids, and other records requesting follow-up actions (including voicemails and calendar invites) have minimal value once the official action these records are supporting has been completed and documented. These records may be destroyed or otherwise disposed of once the action has been resolved.

Drafts and working papers, including notes and calculations, are materials gathered or created to assist in the creation of another record. All drafts and working papers are public records subject to all provisions of Chapter 132 of the General Statutes, but many of them have minimal value after the final version of the record has been approved, and may be destroyed after final approval, if they are no longer necessary to support the analysis or conclusions of the official record. Drafts and working documents that may be destroyed after final approval include:

- Drafts and working papers for internal and external policies
- Drafts and working papers for internal administrative reports, such as daily and monthly activity reports;
- Drafts and working papers for internal, non-policy-level documents, such as informal workflows and manuals; and
- Drafts and working papers for presentations, workshops, and other explanations of agency policy that is already formally documented.

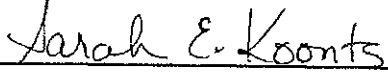
Forms used solely to create, update, or modify records in an electronic medium may be destroyed in office after completion of data entry and after all verification and quality control procedures, so long as these records are not required for audit or legal purposes. However, if the forms contain any analog components that are necessary to validate the information contained on them (e.g., a signature or notary’s seal), they must be retained according to the disposition instructions for the records series encompassing the forms’ function.

² Ibid.

It is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reason they may be retained for longer periods. This schedule supersedes previous versions of this schedule and any localized amendments; it is to remain in effect from the date of approval until it is reviewed and updated.

APPROVAL RECOMMENDED

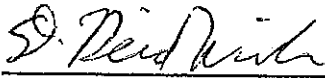
Municipal/County Clerk or Manager
Title: _____



Sarah E. Koonts, Director
Division of Archives and Records

APPROVED

Head of Governing Body
Title: _____



D. Reid Wilson, Secretary
Department of Natural and Cultural
Resources

Municipality/County: _____

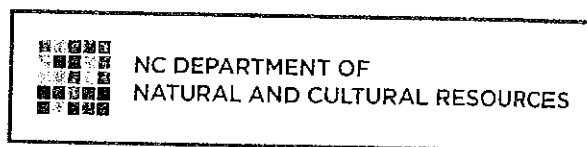
Effective: October 1, 2021

RECORDS RETENTION AND DISPOSITION SCHEDULE

PROGRAM RECORDS SCHEDULE: LOCAL GOVERNMENT AGENCIES



Issued By:



North Carolina Department of Natural and Cultural Resources
Division of Archives and Records
Government Records Section

October 1, 2021

CONTENTS

<u>Approval</u>	iv
Front Matter	
<u>Executive Summary</u>	v
<u>Legend for Records Schedule</u>	vi
Records Retention and Disposition Schedule	
<u>Standard 10: Airport Authority Records</u>	1
<u>Standard 11: Animal Services Records</u>	3
<u>Standard 12: Code Enforcement and Inspection Records</u>	5
<u>Standard 13: Emergency Medical Services and Fire Department Records</u>	12
<u>Standard 14: Parks and Recreation Records</u>	16
<u>Standard 15: Planning and Regulation of Development Records</u>	19
<u>Standard 16: Public Housing Authorities, Redevelopment Commissions, and Entitlement Communities Records</u>	25
<u>Standard 17: Public Transportation Systems Records</u>	31
<u>Standard 18: Public Utilities and Environmental/Waste Management Records</u>	34
<u>Standard 19: Street Maintenance, Public Works, and Engineering Records</u>	46
<u>Standard 20: Law Enforcement Records (excluding Sheriff's Office)</u>	53
<u>Standard 21: Tax Records (for municipalities)</u>	73
Appendix	
<u>Managing Public Records in North Carolina</u>	A-1
<u>Audits, Litigation, and Other Official Actions</u>	A-5
<u>Transitory Records</u>	A-6
<u>Destruction of Public Records</u>	A-8
<u>Sample Destructions Log</u>	A-10
<u>Electronic Records: E-mail, Born Digital Records, and Digital Imaging</u>	A-11
<u>Geospatial Records</u>	A-13
<u>Security Preservation Record Copies</u>	A-15
<u>Disaster Assistance</u>	A-17
<u>Staff Training</u>	A-18
Request Forms	
<u>Request for Change in Records Schedule</u>	A-19
<u>Request for Disposal of Unscheduled Records</u>	A-20
<u>Request for Disposal of Original Records Duplicated by Electronic Means</u>	A-21
<u>File Plan</u>	A-22
<u>Index</u>	A-23

EXECUTIVE SUMMARY

- ✓ Some records are covered by the *General Records Schedule: Local Government Agencies* and, therefore, are not listed separately here.
- ✓ According to N.C. Gen. Stat. § 121-5(b) and N.C. Gen. Stat. § 132-3, you may destroy public records only with the consent of the Department of Natural and Cultural Resources (DNCR). The State Archives of North Carolina is the division of DNCR charged with administering a records management program. This schedule is the primary way the State Archives of North Carolina gives its consent. Without approving this schedule, your agency is obligated to obtain the State Archives of North Carolina's permission to destroy *any* record, no matter how insignificant.
- ✓ Each records series listed on this schedule has specific disposition instructions that will indicate how long the series must be kept in your office. In some cases, the disposition instructions are simply "retain in office permanently," which means that those records must be kept in your office forever. In other cases, the retention period may be "destroy in office when reference value ends." An agency may have reference copies of materials, meaning "a copy of a record distributed to make recipients aware of the content but not directing the recipient to take any action on the matter" (from Society of American Archivists, *Dictionary of Archives Terminology*). Your agency must establish and enforce internal policies by setting minimum retention periods for the records that the State Archives of North Carolina has scheduled with the disposition instructions, "destroy when reference value ends."
- ✓ E-mail is a record as defined by N.C. Gen. Stat. § 121-5 and N.C. Gen. Stat. § 132. It is the content of the e-mail that is critical when determining the retention period of a particular e-mail, including attachments, not the media in which the record was created. It is important for all agency employees and officials to determine the appropriate records series for specific e-mails and retain them according to the disposition instructions listed with the identified record series.
- ✓ The State Archives of North Carolina recommends that all agency employees and officials view the tutorials that are available online through the State Archives website in order to familiarize themselves with records management principles and practices. The State Archives of North Carolina's online tutorials include topics such as records management and scanning guidelines.
- ✓ The State Archives of North Carolina creates security preservation record copies for minutes and selected other records of governing bodies and commissions, adoption records, and maps and plats. Agencies can request copies of the digital images made during this process. Contact the appropriate Records Management Analyst to begin this process.
- ✓ If you have records that are not listed in this schedule, contact a Records Management Analyst. An analyst will discuss the nature of the records with you to determine if the records have historical value. If the records do not have historical value, we will ask you to complete a Request for Disposal of Unscheduled Records (page A-19) for records that are no longer being created.

Program Records Schedule: Local Government Agencies

The records retention and disposition schedules and retention periods governing the records series listed herein are hereby approved. This approval extends to and includes the following standards in the **2021 Program Records Schedule: Local Government Agencies**:

10. Airport Authority Records
11. Animal Services Records
12. Code Enforcement and Inspection Records
13. Emergency Medical Services and Fire Department Records
14. Parks and Recreation Records
15. Planning and Regulation of Development Records
16. Public Housing Authorities, Redevelopment Commissions, and Entitlement Communities Records
17. Public Transportation Systems Records
18. Public Utilities and Environmental/Waste Management Records
19. Street Maintenance, Public Works, and Engineering Records
20. Law Enforcement Records (excluding Sheriff's Offices)
21. Tax Records (for municipalities)

In accordance with the provisions of Chapters 121 and 132 of the *General Statutes of North Carolina*, it is agreed that the records do not and will not have further use or value for official business, research, or reference purposes after the respective retention periods specified herein and are authorized to be destroyed or otherwise disposed of by the agency or official having custody of them without further reference to or approval of either party to this agreement.

Destructions

N.C. Gen. Stat. § 121-5 authorizes the Department of Natural and Cultural Resources to regulate the destruction of public records. Furthermore, the local government agency agrees to comply with 07 NCAC 04M .0510 when deciding on a method of destruction. The North Carolina Administrative Code states:

“(a) Paper records which have met their required retention requirements and are not subject to legal or other audit holds should be destroyed in one of the following ways:

1. burned, unless prohibited by local ordinance;
2. shredded, or torn up so as to destroy the record content of the documents or material concerned;
3. placed in acid vats so as to reduce the paper to pulp and to terminate the existence of the documents or materials concerned; or
4. sold as waste paper, provided that the purchaser agrees in writing that the documents or materials concerned will not be resold without pulverizing or shredding the documents so that the information contained within cannot be practicably read or reconstructed.

(b) When used in an approved records retention and disposition schedule, the provision that electronic records are to be destroyed means that the data and metadata are to be overwritten, deleted, and unlinked so the data and metadata may not be practicably reconstructed.

(c) When used in an approved records retention and disposition schedule, the provision that confidential records of any format are to be destroyed means the data, metadata, and physical media are to be destroyed in such a manner that the information cannot be read or reconstructed under any means.”

All local government agencies should maintain logs of their destructions either in the minutes of their governing board or in their Records Management file. Confidential records will be destroyed in such a manner that the records cannot be practicably read or reconstructed.

Public records, including electronic records, not listed in this schedule are not authorized to be destroyed.

Audits and Litigation Actions

Records subject to audit or those legally required for ongoing official proceedings must be retained until released from such audits or official proceedings, notwithstanding the instructions of this schedule.

Electronic Records

All local government agencies and the Department of Natural and Cultural Resources concur that the long-term and/or permanent preservation of electronic records requires additional commitment and active management by the agency. Agencies agree to comply with all policies, standards, and best practices published by the Department of Natural and Cultural Resources regarding the creation and management of electronic records.

Local government agencies should consider retention requirements and disposition authorities when designing and implementing electronic records management systems. Any type of electronically-created or electronically-stored information falls under the North Carolina General Assembly's definition of public records cited above. For example, e-mail, text messages, blog posts, voicemails, websites, word processing documents, spreadsheets, databases, and PDFs all fall within this definition of public records. In addition, N.C. Gen. Stat. § 132-6.1(a) specifies:

“Databases purchased, leased, created, or otherwise acquired by every public agency containing public records shall be designed and maintained in a manner that does not impair or impede the public agency's ability to permit the public inspection and examination of public records and provides a means of obtaining copies of such records. Nothing in this subsection shall be construed to require the retention by the public agency of obsolete hardware or software.”

Local government agencies may scan any paper record and retain it electronically for ease of retrieval. If an agency wishes to destroy the original paper records before their assigned retention periods have been met, the agency must establish an electronic records policy, including putting into place procedures for quality assurance and documentation of authorization for records destructions approved by the Government Records Section. This electronic records policy and releases for destruction of records must be approved by the Government Records Section. Agencies should be aware that for the purpose of any audit, litigation, or public records request, they are considered the records custodian obligated to produce requested records, even if said records are being maintained electronically by an outside vendor. Therefore, contracts regarding electronically stored information should be carefully negotiated to specify how records can be exported in case a vendor goes out of business or the agency decides to award the contract to a different vendor.

Reference Copies

All local government agencies and the Department of Natural and Cultural Resources agree that certain records series possess only brief administrative, fiscal, legal, research, and reference value. These records series have been designated by retention periods that allow these records to be destroyed when “*reference value ends.*” All local government agencies hereby agree that they will establish and enforce internal policies setting minimum retention periods for the records that Natural and Cultural Resources has scheduled with the disposition instruction “*destroy when reference value ends.*” If a local government agency does not establish internal policies and retention periods, the local government agency is not complying with the provisions of this retention schedule and is not authorized by the Department of Natural and Cultural Resources to destroy the records with the disposition instruction “*destroy when reference value ends.*”

Record Copy

A record copy is defined as “The single copy of a document, often the original, that is designated as the official copy for reference and preservation.”¹ The record copy is the one whose retention and disposition is mandated by these schedules; all additional copies are considered reference or access copies and can be destroyed when their usefulness expires. In some cases, postings to social media may be unofficial copies of information that is captured elsewhere as a record copy (e.g., a press release about an upcoming agency event that is copied to various social

¹ Society of American Archivists, *Dictionary of Archives Terminology*.

media platforms). Appropriately retaining record copies and disposing of reference copies requires agencies to designate clearly what position or office is required to maintain an official record for the duration of its designated retention period.

Transitory Records

Transitory records are defined as “record[s] that [have] little or no documentary or evidential value and that need not be set aside for future use.”²

North Carolina has a broad definition of public records. However, the Department of Natural and Cultural Resources recognizes that some records may have little or no long-term documentary or evidential value to the creating agency. These records are often called transitory records. They may be disposed of according to the guidance below. However, all public employees should be familiar with their appropriate retention schedule and any other applicable guidelines for their office. If there is a required retention period for these records, that requirement must be followed. When in doubt about whether a record is transitory or whether it has special significance or importance, retain the record in question and seek guidance from a DNCR records analyst.

Routing slips and transmittal sheets adding no information to that contained in the transmitted material have minimal value after the material has been successfully transmitted. These records may be destroyed or otherwise disposed of after receipt of the material has been confirmed. Similarly, “while you were out” slips, memory aids, and other records requesting follow-up actions (including voicemails and calendar invites) have minimal value once the official action these records are supporting has been completed and documented. These records may be destroyed or otherwise disposed of once the action has been resolved.

Drafts and working papers, including notes and calculations, are materials gathered or created to assist in the creation of another record. All drafts and working papers are public records subject to all provisions of Chapter 132 of the General Statutes, but many of them have minimal value after the final version of the record has been approved, and may be destroyed after final approval, if they are no longer necessary to support the analysis or conclusions of the official record. Drafts and working documents that may be destroyed after final approval include:

- Drafts and working papers for internal and external policies
- Drafts and working papers for internal administrative reports, such as daily and monthly activity reports;
- Drafts and working papers for internal, non-policy-level documents, such as informal workflows and manuals; and
- Drafts and working papers for presentations, workshops, and other explanations of agency policy that is already formally documented.

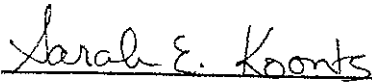
Forms used solely to create, update, or modify records in an electronic medium may be destroyed in office after completion of data entry and after all verification and quality control procedures, so long as these records are not required for audit or legal purposes. However, if the forms contain any analog components that are necessary to validate the information contained on them (e.g., a signature or notary’s seal), they must be retained according to the disposition instructions for the records series encompassing the forms’ function.

It is further agreed that these records may not be destroyed prior to the time periods stated; however, for sufficient reason they may be retained for longer periods. These schedules supersede previous versions of these schedules and any localized amendments; they are to remain in effect from the date of approval until they are reviewed and updated.

² Ibid.

APPROVAL RECOMMENDED


Municipal/County Clerk or Manager
Title: _____



Sarah E. Koonts, Director
Division of Archives and Records

APPROVED

Head of Governing Body
Title: _____



D. Reid Wilson, Secretary
Department of Natural and Cultural
Resources

County/Municipality: _____

Effective: October 1, 2021

Macon County



Proclamation

WHEREAS, the nation's 3,069 counties serving more than 330 million Americans provide essential services to create healthy, safe and vibrant communities; and

WHEREAS, counties fulfill a vast range of responsibilities and deliver services that touch nearly every aspect of our residents' lives; and

WHEREAS, *Macon County, North Carolina* and all counties take pride in our responsibility to protect and enhance the health, wellbeing and safety of our residents in efficient and cost-effective ways; and

WHEREAS, under the leadership of National Association of Counties President Denise Winfrey, NACo is highlighting how "Counties RISE!," demonstrating exemplary Resiliency, Inclusion, Solvency, and Empowerment; and

WHEREAS, each year since 1991 the National Association of Counties has encouraged counties across the country to elevate awareness of county responsibilities, programs and services; and

WHEREAS, Macon County, North Carolina employees over 650 full and part-time employees who provide a variety of services to the citizens of Macon County;

NOW, THEREFORE, BE IT RESOLVED THAT I, *Chairman Paul Higdon*, do hereby proclaim April 2023 as National County Government Month and encourage all county officials, employees, schools and residents to participate in county government celebration activities.

Signed this 11th day of April 2023

Paul Higdon, Chairman
Macon County Board of Commissioners

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

CATEGORY – CONSENT AGENDA

MEETING DATE: April 11, 2023

Item 13A. Draft minutes from the March 14, 2023 regular meeting are attached for the board's review and approval. (Mike Decker/Tammy Keezer)

Item 13B. Budget Amendments #220-224 are attached for your review and approval. (Lori Carpenter)

Item 13C. Tax releases for the month of March 2023 in the amount of \$1,907.10, per the attached memorandum from Tax Collections Supervisor Delena Raby.

Item 13D. A copy of the ad valorem tax collection report as of March 31, 2023, which shows a collection rate of 97.73 percent. Report only. No action is necessary. (Delena Raby)



**MACON COUNTY BOARD OF COMMISSIONERS
MARCH 14, 2023
MINUTES**

Chairman Higdon called the meeting to order at 6:00 p.m. All Board Members, County Manager Derek Roland, Deputy Clerk Mike Decker, Finance Director Lori Carpenter and County Attorney Eric Ridenour were present, as were a number of county employees, media and citizens.

At 6:01 p.m., upon a motion by Commissioner Shearl, seconded by Commissioner Young, the board voted unanimously to recess the meeting to Courtroom A on the fourth floor of the Macon County Courthouse. Chairman Higdon reconvened the meeting at 6:08 p.m.

ANNOUNCEMENTS:

(A) Mr. Roland announced that an adjustment would be made to the front end of the agenda with the addition of Item 5B due to the speaker having traveled from Atlanta to speak.

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

PLEDGE OF ALLEGIANCE: Led by Commissioner Shields, the pledge to the flag was recited.

PUBLIC HEARING(S): None

GORAIL: State Director Christy Sammon introduced herself and said her purpose for being here was to educate the board about GoRail services and grants that are available to Macon County. She invited board members to reach out to her to further discuss opportunities for partnering on projects to improve highways, railroad crossings and walking overpasses.

PUBLIC COMMENT PERIOD: **Susan Carter** spoke about the proposed layout of the new Nantahala Public Library and access to the community room. She said the community club plans to use the room to provide craft classes, educational activities, potlucks, etc. as they do in their current location. Ms. Carter shared that the community club will only have access to half of the room in the new location which is not large enough for their needs and asked board members to intervene and find a way to give them full access.

Stephanie McGaha shared her concerns about Macon County Public Library. **Freda Bennett** spoke in support of the Pre-K program in Highlands. She said there are currently only 900 Pre-K slots in Macon County for approximately 1,800 children under the age of five. Commissioner Shearl responded with his support of the Pre-K program and clarified the prioritization of projects provided by the school liaison committee. **Gary Abrignani** inquired about the tax assessment process and how property values are determined. Tax Administrator Abby Braswell explained the procedural laws, rules and Schedule of Values, and encouraged concerned citizens and those with questions to come and talk to her or one of her staff in person. **Linda Herman** yielded her opportunity to speak about the tax assessment. **Claudia Aguilar** said she had requested a copy of the board's Code of Ethics and was pleased to see the topic on the agenda. **Jim Gaston** spoke about the Macon County Library suggesting that the board not continue the partnership with the Fontana Regional Library system. He recommended better salaries be considered for the employees if the contract with the Fontana Regional Library system is not renewed. **Hazel Norris** spoke about the Highlands Pre-K program and how the board has to prioritize spending. **Jerry Moore** spoke in support of the Highlands Pre-K program reminding board members that private citizens raised \$35,000 to do a feasibility study and requested funding for the project be put back on the agenda. Commissioner Young commented that he supports the project, but funding priorities presented by the school liaison committee did not include the project in the top five priorities. **Carter Davis** spoke in favor of the Highlands Pre-K project. **Deni Shephard** shared written remarks that he had presented to the Macon County Library Board earlier today and stated his issue was with the LGBTQ literature available in the library. **Robert Bull** yielded his opportunity to speak about property appraisals. **Jeff Weller** spoke in favor of the Highlands Pre-K program and stated he does not understand why the project is not in the top five since some of the other projects on the list have grant money or other funds to complete them. **Wendy McGaha** stated she was at the Macon County Library board meeting earlier today and indicated that some of those in attendance were not allowed in the room and those allowed in were not permitted to speak. She spoke about a book she had checked out of the library which she believes is very explicit and inappropriate for the teen section. Ms. McGaha said the board needed to pull out of the Fontana Regional Library System. **Virginia Cranfield** yielded her opportunity to speak about property appraisals. **Bonnie**

Potts shared information about the Highlands Literacy Program and stated her support for the Highlands Pre-K program. **Chip Reames** left the meeting before his opportunity to speak about K-1 Funding in Highlands. **Jim Osterle** spoke in favor of the Highlands Pre-K program.

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

- To add Item 11F under New Business, Parks and Recreation discussion, per Commissioner Young
- To add Item 12(E) under Consent Agenda, Declaring the Service Weapon for Bill Edwards as surplus and sale of the same to him for \$1.00, per Deputy Clerk Mike Decker

UPDATE ON MACON COUNTY COOPERATIVE EXTENSION ACTIVITIES – Macon County Extension Director Christine Bredenkamp provided the board with an overview of the work that the local North Carolina Cooperative Extension office performs and introduced her staff who shared information about the services and programs they provide and how Macon County youth and adults benefit. Ms. Bredenkamp also provided board members with a brochure of services offered by the office.

PROGRESS REPORT ON GEORGIA ROAD/SCALY MOUNTAIN AREA FIBER INFRASTRUCTURE BUILD – Matt Saenger, the Director of Sales and Marketing for Balsam West provided the board with an update on the progress of the firm's efforts to build fiber infrastructure down the Georgia Road and into the Scaly Mountain area. He shared that they are currently in Phase II of the project with 253 connections in progress, 116 connections pending, and 193 prospects for internet and voice services. Mr. Saenger said he considers the project a huge success and indicated Balsam West has finished its response to the Nantahala RFP and hopes to receive a positive response.

SKATE PARK PROJECT UPDATE – Franklin Town Manager Amie Owens provided the board with an update on the proposed skate park project planned for the town's Whitmire Property. She said the proposed plan calls for \$50,000 in funding from the county in the upcoming budget year to assist in completing the project as quoted. Ms. Owens reminded board members that the original cost of the project was \$294,750 which was reduced to \$262,250 because the Town of Franklin was completing the grading and some other work. She said that after fundraising conducted by the youth of SK828, other donations, and receipt of a grant, the remaining balance is \$110,575 and the town has budgeted \$50,000 toward that amount. Ms. Owens indicated the grading is planned to be completed in May with an anticipated opening of the skate park in late summer. Commissioner Antoine made a

motion, seconded by Commissioner Young to fund the remaining balance of \$110,575 for the completion of the park. After discussion and clarification of the remaining balance, Commission Antoine amended his motion, seconded by Commissioner Young, to appropriate \$60,576 from the fund balance for the project. The vote was unanimous.

DISCUSSION/CONSIDERATION OF MEMORANDUM OF AGREEMENT (MOA) WITH REACH – Jennifer Turner-Lynn, the Assistant Director of REACH of Macon County, presented a proposed Memorandum of Agreement (MOA) between the county and REACH with regard to human trafficking. She said the MOA notes that its purpose is to articulate the working relationship and partnership “in providing resources, comprehensive outreach, direct client services and systematic advocacy to human trafficking victims and their children.” Ms. Turner-Lynn stated this agreement will advance the grant opportunities for REACH [Attachment 1]. Commissioner Shields made a motion, seconded by Commissioner Young, to approve the MOA as presented. The vote was unanimous.

RESOLUTION IN RECOGNITION OF MACON COUNTY CRAWFORD SENIOR CENTER VOLUNTEERS – Department of Social Services (DSS) Director Patrick Betancourt presented a resolution recognizing the volunteers who serve at the Macon County Crawford Senior Center. The resolution proclaims April 16-22, 2023 as Macon County Volunteer Week [Attachment 2]. Commissioner Shields made a motion, seconded by Commissioner Antoine, to approve the resolution as presented. The vote was unanimous.

CONSIDERATION OF BID AWARD FOR MACON COUNTY TRANSIT FACILITY EXPANSION - Macon County Transit Director Darlene Asher requested the board’s approval of a bid to expand the Transit Department facility at 36 Pannel Lane. Ms. Asher requested approval to enter into a contract with Owle Construction in the amount of \$715,000 [Attachment 3]. After discussion and clarification that the county is only responsible for 20 percent of the contract amount, Commissioner Shields made a motion, seconded by Commissioner Young, to approve the bid in the amount of \$715,000 and to authorize the county manager to enter into a contract with Owle Construction. The vote was unanimous.

CONSIDERATION OF RESOLUTION ADOPTING A CODE OF ETHICS FOR THE BOARD OF COMMISSIONERS – Mr. Roland stated that the board had adopted a Code of Ethics in 2010 which is still in place and thanks to Ms. Aguilar’s request the code had been reviewed and Mr. Ridenour has proposed a more streamlined version for the board to consider. He said the code, along with the Rules of Procedure, and completion of ethics training by all board members ensures that the board is covered from top to bottom. Mr. Roland said the 2010 version of the Code of Ethics was eight pages long and the new version is one

page long. Mr. Ridenour said a Code of Ethics is required by Section 160A-86 of the North Carolina General Statutes and requested a motion to rescind the 2010 version and adopt the newly revised Code of Ethics [Attachment 4]. Commissioner Young made a motion, seconded by Commissioner Antoine, to resend the 2010 Code of Ethics. The vote was unanimous. Commissioner Young made a motion, seconded by Commissioner Shields, to approve and adopt the new Code of Ethics as presented. The vote was unanimous.

CONSIDERATION OF BUDGET AMENDMENT REGARDING BOILER/CHILLER UNIT AT THE HUMAN SERVICES BUILDING

– Mr. Roland stated that the boiler/chiller unit at the Human Services Building is 23 years old and was slated to be budgeted for replacement in FY24, but it is rapidly deteriorating and currently operating at 25 percent capacity so we have to replace it now. He said there is a 36-week lead time on the production of a new unit and the informal quote is for \$100,000 with the funding appropriated from the fund balance of the general fund. Ms. Carpenter reviewed the budget amendment for \$110,000 giving some leeway for inflation or unexpected additions. Commissioner Shields made a motion, seconded by Commissioner Antoine, to approve the budget amendment as presented to allocate \$110,000 from the fund balance of the general fund to purchase a 90-ton chiller unit for the Health and Human Services Building on Lakeside Drive. The vote was unanimous. Commissioner Young made a motion, seconded by Commissioner Shields, stating for the purchases of apparatus, supplies, materials or equipment, the Macon County Board of Commissioners delegates to the County Manager the authority to award contracts, reject bids or readvertise to receive bids on behalf of Macon County in accordance with NCGS 143-129 (a). The vote was unanimous.

PARKS AND RECREATION DISCUSSION – Commissioner Young asked recreation commission members Tim Crabtree and Jeff Weller to share information from the recreation commission meeting held this morning. Mr. Crabtree said that even though the previously proposed pickleball courts had been approved the commission members would like to take a step back and request a comprehensive plan for the entire recreation park. He indicated the tennis courts are cracking and need to be resurfaced or replaced and tennis players need a dedicated space for restrooms and changing areas. Mr. Weller stated all the buildings are outdated – sixty or so years old – and are frequently being repaired, but could be repurposed for other functions. He said the recreation park was forgotten after Parker Meadows was built and some aspects are beyond repair. After discussion, Commissioner Young made a motion, seconded by Commissioner Antoine for the county manager to solicit requests for proposals for a master comprehensive site study for the recreation park. The vote was unanimous.

CONSENT AGENDA: Upon a motion by Commissioner Young, seconded by Commissioner Shearl, the board voted unanimously to approve the consent agenda as presented which includes: (A) Minutes of the February 9, 2023, continued session, the February 14, 2023, regular meeting and the February 21, 2023, continued session; (B) Budget Amendments #189-195; (C) Tax releases for the month of February in the amount of \$685.65; (D) Monthly ad valorem tax collection report for which no action is necessary; and (E) Declare the service pistol for Mr. Bill Edwards surplus and sale of the same to him for \$1.00.

APPOINTMENTS:

(A) Economic Development Commission (3 seats) – Commissioner Young made a motion, seconded by Commissioner Shearl to approve the reappointments of Brett Rogers and David Hubbs, and appoint Johnathan Hamlin to the Economic Development Commission. The vote was unanimous.

CLOSED SESSION: At 9:09 p.m., upon a motion by Commissioner Young, seconded by Commissioner Antoine, the board voted unanimously to go into closed session as allowed under NCGS 143-318.11(a)(3) in order to preserve the attorney client privilege and NCGS 143-381.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. At 9:49 p.m., upon a motion by Commissioner Shearl, seconded by Commissioner Young, the board voted unanimously to come out of the closed session and return to the open session.

ADJOURN: With no other business, at 9:50 p.m., upon a motion from Commissioner Shearl, seconded by Commissioner Antoine, the board voted unanimously to adjourn.

Derek Roland
Ex Officio Clerk to the Board

Paul Higdon
Board Chair

Macon County Tax Office
5 West Main Street
Franklin, NC 28734



Phone: (828) 349-2149
draby@maconnc.org

TO: MACON COUNTY COMMISSIONERS

FROM: Macon County Tax Collector's Office
Delena Raby, Tax Collections Supervisor

DATE: April 04, 2023

RE: Releases for March, 2023

Attached please find the report of property tax releases for real estate and personal property that require your approval in order to continue with the process of releasing these amounts from the tax accounts. Please feel free to contact me if you should have any questions. The report of releases in alphabetical order is attached.

AMOUNT OF RELEASES FOR MARCH 2023: \$ 1,907.10

RELEASES REPORT
Macon County

107086	BILL NUMBER	OPER	DATE/TIME	DISTRICT	VALUE	AMOUNT
BARNETT, ROBERT F	2022-94738	DLR	12/31/9999 1:31:25 PM			
				F04 ADVLTAX	0.00	3.48
				G01 ADVLTAX	0.00	19.32
				TOTAL RELEASES:		22.80
1655	2021-54076	LAS	12/31/9999 3:24:11 PM			
DENDY, MACK M				F10 ADVLTAX	5,573.00	1.67
				G01 ADVLTAX	5,573.00	22.29
				TOTAL RELEASES:		23.96
1655	2022-54076	LAS	12/31/9999 3:23:36 PM			
DENDY, MACK M				F10 ADVLTAX	5,573.00	1.67
				G01 ADVLTAX	5,573.00	22.29
				TOTAL RELEASES:		23.96
1655	2019-54076	LAS	12/31/9999 3:25:21 PM			
DENDY, MACK M				F10 ADVLTAX	5,573.00	1.67
				G01 ADVLTAX	5,573.00	22.29
				TOTAL RELEASES:		23.96
1655	2020-54076	LAS	12/31/9999 3:24:49 PM			
DENDY, MACK M				F10 ADVLTAX	6,124.00	1.84
				G01 ADVLTAX	6,124.00	22.95
				TOTAL RELEASES:		24.79
128971	2022-52756	LAS	12/31/9999 9:33:13 AM			
HEATON, KAZ RYAN				F10 ADVLTAX	5,573.00	1.67
				G01 ADVLTAX	5,573.00	20.89
				TOTAL RELEASES:		22.56
128971	2021-52756	LAS	12/31/9999 9:32:32 AM			
HEATON, KAZ RYAN				F01 ADVLTAX	4,370.00	3.06
				G01 ADVLTAX	4,370.00	17.48
				L01 FFEFEE	4,370.00	108.00
				TOTAL RELEASES:		128.54
136221	2022-300394	LAS	12/31/9999 9:48:09 AM			
NC DOT				F01 ADVLTAX	4,370.00	2.38
				G01 ADVLTAX	4,370.00	17.48
				L01 FFEFEE	4,370.00	108.00
				TOTAL RELEASES:		127.86
				F01 ADVLTAX	273,290.00	191.30
				G01 ADVLTAX	273,290.00	1,093.16
				L01 FFEFEE	273,290.00	108.00
				TOTAL RELEASES:		1,392.46

RUN DATE: 4/6/2023 1:37 PM

RELEASES REPORT
Macon County

NAME	BILL NUMBER	OPER	DATE/TIME	DISTRICT	VALUE	AMOUNT
133274 STEIN, ARDIS	2022-52885	LAS	12/31/9999 9:31:43 AM			
				F02 ADVL TAX	1,960.00	1.57
				G01 ADVL TAX	1,960.00	7.84
				TOTAL RELEASES:		9.41
133274 STEIN, ARDIS	2021-52885	LAS	12/31/9999 9:30:50 AM			
				F02 ADVL TAX	2,434.00	1.95
				G01 ADVL TAX	2,434.00	9.74
				TOTAL RELEASES:		11.69
133274 STEIN, ARDIS	2020-52885	LAS	12/31/9999 9:30:05 AM			
				F02 ADVL TAX	2,434.00	1.95
				G01 ADVL TAX	2,434.00	9.12
				L01 FFEFEE	2,434.00	108.00
				TOTAL RELEASES:		119.07
				NET RELEASES PRINTED:		1,907.10
				TOTAL TAXES RELEASED		1,907.10

Macon County
Advalorem Tax Collections Report
Year To Date March 2023 Tax Year 2022

TAX YEAR 2022 Month To Date March 2023 Tax Year 2022									
Month to Date	Beginning Balance	Levy Added	Less Releases	Less Administrative Refunds	Less Write Offs	Equals Adjusted Levy	Less Payments	Outstanding Balance	
General Tax	1,410,035.41	5,036.77	-484.46	0.00	-13.39	1,414,574.33	-745,195.46	669,378.87	
Fire Districts	223,702.02	431.28	-84.28	0.00	-2.96	224,046.06	-109,836.11	114,209.95	
Landfill User Fee	217,853.25	0.00	-116.91	0.00	-1.20	217,735.14	-98,012.23	119,722.91	
TOTAL:	1,851,590.68	5,468.05	-685.65	0.00	-17.55	1,856,355.53	-953,043.80	903,311.73	

TAX YEAR 2022 Year To Date March 2023 Tax Year 2022										
Year to Date	Beginning Balance	Levy Added	Less Releases	Less Administrative Refunds	Less Write Offs	Equals Adjusted Levy	Less Payments	Outstanding Balance	This Year Collection Percentage Tax Year 2022 As of 3/31/2023	Last Year Collection Percentage Tax Year 2021 As of 3/31/2022
General Tax	85.74	32,206,964.15	-29,596.72	0.00	-1244.16	32,176,209.01	-31,506,744.40	669,378.87	97.92%	98.24
Fire Districts	16.04	4,648,922.83	-4,245.33	0.00	-202.83	4,644,490.71	-4,530,264.72	114,209.95	97.54%	97.94
Landfill User Fee	216.00	2,953,584.00	-2,480.84	0.00	-16.03	2,951,303.13	-2,831,364.22	119,722.91	95.94%	96.31
TOTAL:	317.78	39,809,470.98	-36,322.89	0.00	-1463.02	39,772,002.85	-38,868,373.34	903,311.73	97.73%	98.06

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

CATEGORY – APPOINTMENTS

MEETING DATE: April 11, 2023

14A. **Planning Board (1 seat)** – Planning Director Joe Allen is recommending the reappointment of Ben Ledford to the Macon County Planning Board. Mr. Ledford’s term on the board expired March 10, and a copy of his application is attached. If approved, term of appointment will be for three years, ending March 10, 2026.

Application for Appointment to Macon County Authorities, Boards, Commissions and Committees

The Macon County Board of Commissioners believes all citizens should have the opportunity to Participate in governmental decisions. The Board wants to appoint qualified, knowledgeable and dedicated people to serve on authorities, boards and committees. If you have an interest in being considered for an appointment to any advertised vacancy, please thoroughly complete the form below before the advertised deadline and choose from the following options.

Mail to: County Manager's Office
5 West Main Street
Franklin, North Carolina 28734

or FAX to: 828-349-2400

Any Questions, please call the County Manager's Office at (828) 349-2025

Name of Authority, Board or Committee applying for:

Name

Address

City

NC Zip

Telephone: Home

Work

Occupation

Business Address

Email Address

Briefly explain any anticipated conflict of interest you may have if appointed:

Educational Background

Business and Civic Experiences/Skills:

Areas of Expertise and Interest/Skills:

List any Authorities, Boards, Commissions or Committees presently serving on:

SIGNATURE: 

DATE: