

**MACON COUNTY BOARD OF COMMISSIONERS**  
**July 12, 2022**  
**MINUTES**

Chairman Tate called the meeting to order at 6:00 p.m. All Board Members, County Manager Derek Roland, Deputy Clerk Mike Decker, County Attorney Eric Ridenour and members of the news media were present, as were a number of county employees and citizens. Finance Director Lori Carpenter was not in attendance.

**ANNOUNCEMENTS:**

- (A) Chairman Tate announced that a joint meeting with the Macon County Board of Education is scheduled for Tuesday, July 26, 2022 at 6:00 p.m. at the Fine Arts Center on the Franklin High School campus for the presentation of the Franklin High School facility assessment and discussion of next steps.

**MOMENT OF SILENCE:** Commissioner Beale asked that former county commissioner Jerry Sutton and West Macon volunteer fireman Alvin “Pickle” Nicholson be remembered. Chairman Tate requested all in attendance to rise and a moment of silence was observed.

**PLEDGE TO THE FLAG:** Led by Commissioner Shields, the pledge to the flag was recited.

**PUBLIC HEARING(S):**

**Exchange of real property with the North Carolina Department of Transportation (NCDOT)** – Chairman Tate called the public hearing to order at 6:02 p.m. and provided background on the proposed property exchange which included an even swap of the former Macon County Fruit & Vegetable Growers Association property, known as the Co-Op property, with a tax value of \$200,000 and the NCDOT property with a tax value of \$273,000. After a brief discussion and with no one from the public signed up to speak, Chairman Tate closed the public hearing at 6:04 p.m. Upon a motion by Commission Shields, seconded by Commissioner Beale, the board voted 4-1 to approve the exchange of property as presented, with Commissioner Higdon opposing. A copy of the “Resolution Approving Exchange of Real Property is attached **Attachment 1** and is hereby made a part of these minutes.

**PUBLIC COMMENT PERIOD:** **Dylan Castle** read a resolution from the Smoky Mountain Young Republicans in support of Commissioner Higdon's opposition to increased funding for the Macon County Library. A copy of the resolution was provided to the board members. **Tim Shaw** provided an update on the SK828 project and a recent fundraiser held at Altered Frequencies, which generated more than \$13,000 in donations. Mr. Shaw reported that at this time the group has secured approximately \$34,000 in the fund held by Region A and has applied for a grant through the Dogwood Health Trust. Commissioner Beale emphasized the importance of having restroom facilities on site. Mr. Roland stated that further discussion regarding the overall project is planned for an upcoming joint meeting with the Town of Franklin. Commissioner Young suggested a committee be formed to include members of SK828, the county, and the town so that everyone could stay informed.

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

- To add Item 11B – Bond Release, per Mr. Roland.
- To remove Item 10B – Correction to agreement with J&B Disposal, per Mr. Roland
- To table the minutes from the June 14, 2022 regular meeting under the Consent Agenda, per Mr. Decker.

**REPORTS AND PRESENTATIONS:** None

**OLD BUSINESS:**

**(A) Discussion regarding Nantahala Library/Community Center** – Mr. Roland shared an email that he had received from architect Keith Hargrove stating that due to circumstances beyond his control he would not be able to help with this project. Mr. Roland informed the board that two additional architects have been contacted and we are awaiting their proposals. Mr. Roland requested that since the resolution exempting architectural services has already been approved, he would like to email those to the board members and obtain consent to move forward with contract negotiations. He stated that he has also been informed by State Representative Karl Gillespie's office on July 1<sup>st</sup> that Macon County has been approved in the state budget for a grant in the amount of \$200,000 for capital improvements and equipment at the Nantahala Public Library. Although there was a motion by Commissioner Higdon that was not seconded, the board agreed by consensus to move forward with Mr. Roland's recommendation.

**(B) Correction to agreement with J&B Disposal** - Removed.

**NEW BUSINESS:**

**(A) Resolution appointing plat review officers** – Tax Administrator Abby Braswell requested approval of a resolution regarding the appointment of plat review officers in accordance with N.C.G.S. §47-30.2 (a). She requested that all employees in the Mapping Department (Kelley Gravitt, Michael Hall and Michael Ramsey) and Wesley Hall in the GIS Department be designated as Review Officer. Upon a motion by Commissioner Young, seconded by Commissioner Shields, the board voted unanimously to approve the resolution as requested, and a copy is attached [Attachment 2] and is hereby made a part of these minutes.

**(B) StreamFlow Rehabilitation Program (StRAP) grant/Budget Amendment #9** – Soil and Water Conservation District Director Doug Johnson requested approval of a StreamFlow Rehabilitation Program (StRAP) grant in the amount of \$282,559 along with accompanying Budget Amendment #9 [Attachment 3]. He explained that the grant would be used to remove woody debris from streams to alleviate future flooding with sites already identified on the Little Tennessee River, Cartoogechaye Creek and the Cullasaga River. Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to accept the grant and approve the budget amendment as requested.

**(C) Selection of voting delegate for the North Carolina Association of County Commissioners (NCACC) annual conference (August) and the NCACC legislative goals conference (November)** – Mr. Roland provided an email from Alisa Cobb with the North Carolina Association of County Commissioners (NCACC) requesting appointment of delegates for the conferences with an indication that the deadline was August 5, 2022. Commissioner Beale stated he will be attending the conference and will be glad to represent Macon County. Upon a motion by Commissioner Shields, seconded by Commissioner Beale, the board voted unanimously to select Commissioner Beale to serve as the board's voting delegate.

**(D) Bond agreement release for Snowbar, LLC in conjunction with Gemstone Villages** – Director of Planning Joe Allen requested the release of two bond agreements issued on January 11, 2022. He stated the first bond was for Phase III, Section I of the Gemstone Villages development in the amount of \$189,185, and the second was for Phase I in the amount of \$617,119. Mr. Allen stated a letter had been provided from the developer's engineer indicating that 90 percent of the utilities in Phase III, Section I have been completed and that all of the utilities in Phase I have been

completed. He shared that the value of the infrastructure in the ground is valued at \$390,000, and with the requirement of the 125 percent standard in the county ordinance requires us to keep a total of \$487,500. Mr. Allen recommended a refund in two separate checks one in the amount of \$114,383 for Phase III, Section I and one for \$373,117 for Phase I. He stated that the remaining funds in the shared deeds will remain until the roads are completed. Upon a motion by Commissioner Higdon, seconded by Commissioner Young, the board voted unanimously to approve the request as presented.

**CONSENT AGENDA:** Upon motion by Commissioner Higdon, seconded Commissioner Shields, the board voted unanimously to approve the consent agenda as presented which includes: (A) Minutes of the May 26, 2022 continued session and the June 7, 2022 continued session, (B) Budget Amendments #1-8, (C) Tax releases for the month of June in the amount of \$409.48, (D) Monthly ad valorem tax collection report – no action necessary.

**APPOINTMENTS:** None.

**CLOSED SESSION** – At 6:31 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to go into closed session as allowed under NCGS 143-318.11(a)(3) to preserve the attorney/client privilege, with a plan to take no action following the closed session. At 6:40 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to come out of closed session and return to open session. No action was taken.

**ADJOURN:** With no other business, at 6:41 p.m., upon a motion by Commissioner Higdon, seconded by Commissioner Young, the board voted unanimously to recess the meeting until Tuesday, July 26, 2022 at 6:00 p.m. at the Fine Arts Center on the campus of Franklin High School for the purpose of holding a joint meeting with the Macon County Board of Education.

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Derek Roland  
Ex Officio Clerk to the Board

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Jim Tate  
Board Chair