

**MACON COUNTY BOARD OF COMMISSIONERS**  
**August 10, 2021**  
**MINUTES**

Chairman Tate 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, County Attorney Eric Ridenour, and members of the news media were present, as were a number of county employees and citizens.

**ANNOUNCEMENTS:**

- (A) Recognition of COVID call center volunteers and workers – Mr. Roland gave an overview of the COVID-19 Vaccine Call Center which was implemented following discussion by the board at the January 13, 2021 meeting. He acknowledged the efforts of all county departments and volunteers in their roles in assisting in COVID-19 efforts. A special thanks was expressed to Mr. Phil Drake for providing the facility, phone system and supporting resources which allowed for the operation of the call center. Mr. Roland then recognized Tammy Keezer and Sheriff Robert Holland, who had coordinated and managed the center. Ms. Keezer and Sheriff Holland gave a brief report stating that volunteers worked 862.5 hours, handled over 24,000 incoming calls to register individuals and schedule appointments as well as over 20,000 outgoing calls to manage the waitlist, schedule appointments and remind individuals of their scheduled appointments. Each county employee and volunteer was asked to come forward and receive a Macon County lapel pin in appreciation of their service. Additionally, Sheriff Holland recognized Frances Ledford, a call center worker, with the Community Hero Award in recognition of a heroic lifesaving act for a Macon County resident.
- (B) Manager Roland read a news release from August 5, 2021 from the Government Finance Officers Association of the United States and Canada announcing that the Certificate of Achievement for Excellence in Financial Reporting was awarded to Macon County for its comprehensive financial report for the fiscal year ending June 30, 2021. This is the highest form of recognition in the area of governmental accounting and financial reporting. Mr. Roland shared his appreciation to Finance Director Lori Carpenter for this achievement and the work she and her staff do for Macon County.

- (C) Public Health Director Kathy McGaha joined the meeting via telephone to provide an update on COVID-19 indicating numbers of positive cases are increasing in Macon County with 163 active positive cases as of this date. Ms. McGaha indicated there had been some breakthrough cases in those who had been vaccinated among all vaccine types available. However, none of those cases had required hospitalization. Ms. McGaha encouraged residents to get vaccinated and to continue to follow the safety precautions recommended by the CDC.
- (D) Commissioner Beale stated that he and Mr. Roland will be traveling to Wilmington for the North Carolina Association of County Commissioners (NCACC) annual conference. He shared there will be some very important legislative items that will be discussed and voted on by the delegation including some items that will be discussed on tonight's agenda as well as other issues affecting rural counties.

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

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

**PUBLIC COMMENT PERIOD:**

- (A) Tom Henderson spoke about excessive dog barking and requested the board consider amending the Animal Control Ordinance to include language regarding excessive barking of dogs, including hunting or sporting dogs while not on a hunt or in their cages and kennels. Mr. Henderson stated he had spoken with state Senator Karl Gillespie who had also researched the issue for him. He suggested the amendment include a violation of any dog barking for more than 20 minutes with a written warning being issued by an Animal Control Officer for the first offense with a 30-day period to rectify the situation; and, for each offense after that impose a \$50 fine per occurrence, one occurrence per day, with no limit. Mr. Henderson recommended a limit not be placed on the violations.
- (B) Anita Martin requested to address a problem with Commissioner Young involving a personal matter involving him and a home owners' association. She stated her concern about a recent interaction with Commissioner Young and believes that interaction was inappropriate. Chairman Tate informed Ms. Martin this was a personal matter and needed to be addressed outside of this venue.

- (C) Hank Halle spoke about excessive dog barking in his neighborhood. He stated that one of his neighbors is an elderly woman who is unable to sleep at night because of the barking for up to 24 hours at a time. He requested the board give careful consideration to a dog problem that is severe and continual.

After discussion by the board and the indication that some additional emails had been received this week regarding the barking dog(s) and similar issues, Commissioner Beale suggested that Mr. Ridenour review the ordinance and advise the board before taking any action. Mr. Ridenour stated he could perform the review but there were some comments about the topic that he would not want to make in public that would need to be discussed in closed session. Mr. Ridenour also shared that a private civil action against the neighbor could be an option for the concerned citizens to take, as an ordinance is much harder to enforce. He said he would discuss this further with the board in closed session at the appropriate time during this meeting.

- (D) Jean Pinkston thanked the board for allowing her to be a part of the COVID-19 Call Center and for recognizing those individuals tonight. She said she wanted to entreat the board in the educational settings as much as possible. Mrs. Pinkston shared that her daughter works in a major university hospital setting as a healthcare provider in an ICU for COVID patients with 100 percent of those patients being unvaccinated at present. She shared that the number of patients there have doubled, tripled and quadrupled and although that is not the situation here yet, it will be. Mrs. Pinkston stated that as a mother, wife grandmother and a grandmother to children who are not of age to be vaccinated that she would like for them to be safe and feels that our vulnerable children in the community have the right to be protected to the best of our ability. She requested the board talk about it, discuss it here or in a private meeting and come forth with some suggestions for all the different departments and the board of education. Commissioner Higdon stated that this would be a topic of the board of education meeting to be held on Monday night. Mrs. Pinkston stated she would like for that board to have this board's input, feeling and direction and that she would like to think that this board's direction would be to encourage them to be cautious as she feels we are not at the place we need to be at with vaccinations to keep our community safe.

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

- To remove Item 11C under New Business, Contract for involuntary commitment transports, per Mr. Roland.
- Chairman Tate stated there would be a closed session.
- To add Budget Amendments #32 and #33 to Item 12B under the Consent Agenda, per Mrs. Carpenter.
- To add Item 11B under New Business, Nantahala project update, per Commission Higdon.

**REPORTS AND PRESENTATIONS:**

**(A) Resolution in Support of Closing North Carolina's Health Insurance**

**Gap** – Commissioner Beale introduced Casey Cooper, Chief Executive Officer of the Cherokee Indian Hospital Authority stating the hospital serves about 14,000 members of the Eastern Band and that Mr. Cooper has been very active in Western NC and the state in trying to provide better health services to the citizens. Mr. Cooper shared a PowerPoint presentation and stated that at the conclusion of the presentation he hoped the board would be compelled to support a resolution to help close the coverage gap in North Carolina. Mr. Cooper's presentation included a significant amount of data describing the healthcare challenges in Western North Carolina which are impacting individuals, the workforce and the community. He described the suicide of a nearby community member which he believes would not have occurred had the individual had adequate healthcare coverage. Chairman Tate indicated that he had spoken with Senator Kevin Corbin, who was in favor of the expansion in Medicaid coverage. Mr. Cooper shared that this presentation is also being shared with Swain, Jackson and Haywood counties. He said Swain and Jackson have already passed the resolutions and Haywood has it on the agenda for their next meeting. Mr. Cooper stated that Graham County had passed a resolution more than a year ago. Commissioner Beale stated that 38 states now have Medicaid expansion and that Macon County cannot compete with the metropolitan counties in regard to healthcare. Commissioner Higdon stated he felt this was a great presentation but was for the wrong audience and our passing of a resolution would not be very meaningful. He said this is a decision to be made at the state level. Commissioner Young asked some questions about Medicaid payments and the loss of the labor and delivery services in Macon County, which were addressed by Mr. Cooper. Commissioner Beale read a resolution into the record and made a motion, seconded by Commissioner Shields, to support it as read. The motion passed 4-1 with Commissioner Higdon opposed.

**OLD BUSINESS:**

**(A) Discussion regarding electoral districts** – Commissioner Higdon stated that Mr. Ridenour was here to answer some questions and that he had asked Melanie Thibault, the county’s Board of Elections Director, to attend the meeting to help answer some questions as well. Mr. Ridenour stated he had sent a response to some questions by email and that redistricting could be done. Commissioner Higdon explained that the board is not in favor of moving to two-year terms overall but, he is proposing the board look at a way for Districts I and III to not have to wait for four years to run, suggesting one candidate be elected from each district with the addition of two at-large members which was somewhat a mirror of the Macon County Board of Education structure. This was followed by discussion among board members, Mr. Ridenour and Ms. Thibault about the board of education structure, legislation regarding electoral structures, district lines, population and other matters. Commissioner Beale said the current structure had worked well for many years and he feels it is a waste of the board’s time to try to fix something that is not broken. Commissioner Higdon stated he did not feel the other board members were understanding what he was asking. Commissioner Beale stated the process of redistricting could not occur until the new census comes out and that the process of drawing new lines could be very costly and complicated. Chairman Tate said he agrees with the concept Commissioner Higdon is presenting but believes the confusion is between population and geography. He said unfortunately Districts I and III do not have the population to shrink those districts which would require expanding the geography of the districts which could potentially result in the absences of a representative from Highlands. No action was taken, although board members expressed interest in knowing more about the process used by the school board and requested information be provided at a future meeting.

**(B) Nantahala Library/Community Center** - Commissioner Higdon stated that he wants the process of selecting a site for a new library in the Nantahala community to keep moving forward. Mr. Roland stated that the property the county recently purchased had been cleaned up and that the county maintenance department staff had done a great job and had completed the clean-up within the budget. He stated we have done all we can do until the board decides what is going on that property. Commissioner Higdon asked what the next step should be and whether or not the library was willing to go there. Commissioner Beale stated the library had approached the school board and requested permission to move into the school and the school board was to render a decision at its next meeting. Commissioner Higdon asked

about procuring an architect to look at making it a community building or community building/library. Mr. Roland stated that decision is going to rely on knowing the outcome of the school board decision about the library so we know what direction to give to the architect. He said if the board desires, after knowing the school board decision, the county could have a resolution exempting architectural services ready for review and approval at the next meeting. No action was taken.

**NEW BUSINESS:**

**(A) Change orders #003, #004, and #005 on Macon Middle School renovation project** – Planning, Permitting and Development Director Jack Morgan explained change order #003 in the amount of \$16,366 is for stairway stair treads which do not match the current design. They will be replaced with new gray-colored one. He stated that change order #004 addresses replacement of windows. He said the windows were not installed as per the drawing at the time and that unfortunately the frames are structural and are spot welded in. Mr. Morgan explained the solution that has been recommended will cost \$9,830. Mr. Morgan stated that change order #005 involves replacing some doors due to their condition. He stated they are trying to do this in the most economical way possible and have chosen to try and refinish some others because they are in good condition. Mr. Morgan shared that this change order also includes the cost of refinishing some oak handrails and trims which look bad now that everything around them has been replaced and/or updated. He stated that the wheelchair lift that was to be installed at the stage must now be removed from the project as there is no feasible way to install it and that in the future a ramp may have to be built in a storage area. Mrs. Carpenter indicated that she has numbers from the change orders and a current balance in contingency of \$817,800. She stated that one of the budget amendments she added to the agenda is requesting to take \$28,978 from the project contingency and move it over to the construction line. Commissioner Beale stated that we are fortunate to have Jack Morgan and that the contractor is doing outstanding job. He stated we have already turned over some areas of the school to get ready for the new year and school starts on August 23. Commissioner Beale made a motion, seconded by Commission Shields, to approve the change orders as presented and the motion passed unanimously.

**(B) Agreement to Provide Substance Abuse and Mental Health Services with No Wrong Door** – Commissioner Beale gave an update on the services provided at No Wrong Door and how the staff and volunteers appreciate the partnership that this board has had with them. Ms. Carpenter reviewed the details of the contract and shared that it had been reviewed by Mr. Ridenour and the Town of Franklin’s attorney, as the town is a party to the agreement. She stated that the county provides \$20,000 and

the town provides \$20,000 for a total of \$40,000, which is budgeted. Commission Beale made a motion, seconded by Commissioner Shields, to approve the agreement as presented, and the motion passed unanimously.

**(C) Contract for involuntary commitment transports** – removed.

**CONSENT AGENDA:** Upon a motion by Commissioner Higdon, seconded by Commissioner Shields, the board voted unanimously to approve the consent agenda as presented which includes the following: (A) Minutes of the July 13, 2021 regular meeting, (B) Budget Amendments #20-31 and the addition of #32-33, (C) tax releases and (D) the monthly ad valorem tax collection report for which no action necessary.

**APPOINTMENTS:** None.

**CLOSED SESSION** – At 8:00 p.m., upon a motion by Commissioner Young, 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 and 143-318.11(a)(5) regarding the acquisition of real property with no plan to take action following the closed session. At 8:45 p.m. upon a motion by Commissioner Higdon, seconded by Commissioner Shields, the board voted unanimously to come out of closed session and return to open session.

**ADJOURN:** With no other business, at 8:48 p.m., upon a motion from Commissioner Young, seconded by Commissioner Shields, the board voted unanimously to adjourn.

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Derek Roland  
Ex Officio Clerk to the Board

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Jim Tate  
Board Chair