

**MACON COUNTY BOARD OF COMMISSIONERS**  
**November 8, 2022**  
**MINUTES**

Chairman Tate called the meeting to order at 6:00 p.m. All Board Members, County Manager Derek Roland, Finance Director Lori Carpenter, County Attorney Eric Ridenour, Tammy Keezer (sitting in for Deputy Clerk Mike Decker), and members of the news media were present, as were a number of county employees and citizens.

**ANNOUNCEMENTS:**

- (A) Chairman Tate expressed his gratitude to the board allowing him to serve for 11 years and as the longest serving chairman in Macon County history. He said the only advice he could give is it is best to be fair to all. Chairman Tate then acknowledged each board member, Ms. Hall, Mr. Ridenour and Mr. Roland, expressing individual appreciation to each. He said thank you to all employees and department heads stating and expressing that it has been an honor. Chairman Tate ended by sharing his Top 10 advice to the board and newly elected members.
- (B) Commissioner Beale announced that he and Mr. Roland would be traveling to Raleigh to speak on the legislative goal regarding Environmental Health education issues on November 16, 2022. He shared that 49 counties have signed a resolution in support of the issue.
- (C) Commissioner Shields announced that the Veterans Day celebration will be held on November 11, 2022 at 11:00 a.m., and a 98-year-old World War II veteran will be honored. He indicated a decision will be made on Thursday whether or not to move to the Fine Arts Center based on weather.

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

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

**PUBLIC HEARING(S):** None

**PUBLIC COMMENT PERIOD:** **Brittney Lofthouse** shared her appreciation for Chairman Tate and his years of service.

**ADDITIONS, ADJUSTMENTS TO AND APPROVAL OF THE**

**AGENDA:** Upon a motion by Commissioner Beale, seconded by Commissioner Young, the board voted unanimously to approve the agenda, as adjusted, as follows:

- To remove Items 11G, H, and I, per Mr. Roland, and place on the December agenda.

**REPORTS/PRESENTATIONS:** None

**OLD BUSINESS:**

**Discussion regarding the contract for architectural services for Highlands Pre-K** - Mr. Roland provided an update on the contract for architectural services for the Highlands Pre-K project stating we have been able to negotiate a contract consisting of the scope of services outlined in Exhibit A of the packet [Attachment 1]. He said the estimated cost is \$4.7 million with \$329,255 (7%) negotiated architectural fees that are spread across several phases. Mr. Roland said the contract has been structured so that the project can be paid for in phases or the board can authorize the entire payment, and the board has the latitude to move forward however they choose, but the whole amount has to be appropriated. Emily Kite, representing LS3P stated they would make every effort to get construction started prior to May. Commissioner Beale made a motion, seconded by Commissioner Shields, to move \$329,255 from fund balance contingent upon the school board's approval of the scope of services. During discussion, Commissioner Young said he has a hard time tying up that much money just before a new board is seated, but hopes the school board makes this a priority on their capital outlay plan. Commissioner Higdon stated this project was not included in the capital outlay plan last year and he does not believe the school board made it a priority. Both Commissioner Young and Commissioner Higdon expressed that they believed the best approach would be to approve in phases. Commissioner Beale reminded the board that the school board would never have had this on their capital outlay plan because they are not responsible

Minutes

11.08.22

Page 2 of 6

for Pre-K funding and programming. The motion passed 3-2 with Commissioners Tate, Beale and Shields voting in favor and Commissioners Higdon and Young opposed.

**NEW BUSINESS:**

**Resolution for Operation Green Light honoring veterans -** Veterans Services Director Leigh Tabor-Holbrooks presented a resolution designating Macon County as a Green Light community for veterans and declaring November 7 through November 11, 2022 (Veterans Day) as time to salute and honor the service and sacrifice of our men and women in uniform transitioning from active service. She read the resolution [Attachment 2]. Motion by Commissioner Shields, seconded by Commissioner Higdon, to approve the resolution as presented. Vote was unanimous.

**Consideration for release of performance guarantee for Phase I development for Gemstone Village Subdivision -** Planning Director Joe Allen requested approval for the release of the remaining performance guarantee being held by Macon County in conjunction with Phase I development at Gemstone Village Subdivision. He stated the original performance guarantee was in the amount of \$617,119, which was 125 percent of the estimated cost to install utilities and roads, and that on July 22, 2022, Macon County released \$373,117 of the performance guarantee. Mr. Allen indicated that Snobar LLC is requesting the release of the remaining balance of \$244,002, and shared that a letter is attached indicating completion of the work as well as other supporting documentation [Attachment 3]. Motion by Commissioner Beale, seconded by Commissioner Higdon, to release the remaining performance guarantee as requested. Vote was unanimous.

**Consideration for release of performance guarantee for Phase II development for Gemstone Village Subdivision -** Mr. Allen requested approval for the release of a performance guarantee being held by Macon County in conjunction with Phase II development at Gemstone Village Subdivision. He indicated that the original performance guarantee was in the amount of \$735,922.50, which was 125 percent of the estimated cost to install utilities and roads. Mr. Allen stated that on October 26, 2022, Joanne Snider with Snobar, LLC stated she was going to put Phase II on hold and requested release of the cash bond [Attachment 4]. Motion by Commissioner Higdon, seconded by

Commissioner Shields to release the performance guarantee as requested. Vote was unanimous.

**Discussion on Sutton Broadcasting and Blue Ridge Broadcasting subleases for Cowee Bald** - Emergency Services

Director Warren Cabe discussed agreements and subleases approved in December 2021 for Sutton Broadcasting and Blue Ridge Broadcasting to occupy space at the Cowee Bald communications site. He said these agreements had a term of one year and that both agencies are present and proposing renewal or extensions for year 2022 forward. Mr. Cabe shared that Sutton Broadcasting currently pays \$500 a month and Blue Ridge Broadcasting currently pays \$250 a month to Macon County, and Macon County pays roughly \$1,600 per year to the US Forest Service. He said the total costs to operate the site is just under \$5000. Mr. Cabe explained the lease options to be considered and clarified the current use of the tower by Macon County and the two broadcasting companies. Art Sutton representing Sutton Broadcast and Terry Carter representing Blue Ridge Broadcasting proposed a renewal for another five years and shared that it takes over a year to conduct studies required to move to a different tower and they do not want to move. Mr. Sutton said they are willing to reimburse the county the \$1,600 per year and Blue Ridge Broadcasting will reimburse Sutton Broadcasting one-third of that cost. Board members consented to move forward with the process for a five-year renewal. Motion by Commissioner Beale, seconded by Commissioner Young, to move forward with the county manager and attorney to draw up the leases and a resolution to be presented at the December meeting. Vote was unanimous.

**Resolution to apply for public transportation program funds** -

Transit Director Darlene Asher presented a resolution to apply for public transportation program funds (Section 5311 including ADTAP, 5310, 5339, 5307, and applicable State funding, or combination thereof) for the FY '24 budget year. She reminded the board that a public hearing was held at the board's regular meeting on September 13, 2022 and approval to submit applications and apply for funding was granted, leaving the resolution to be approved [Attachment 5]. Motion by Commissioner Higdon, seconded by Commissioner Shields to approve the resolution as presented. Vote was unanimous.

Chairman Tate declared a five-minute recess at 7:10 pm. He called the meeting back to order at 7:16 pm.

Minutes

11.08.22

Page 4 of 6

**Site approval for Pickleball courts at Macon County Recreation Park** - Parks and Recreations Director Seth Adams requested approval of the proposed site for the location of pickleball courts at the Macon County Recreation Park softball field. He said the proposed site plan has been approved by the county recreation commission and the local pickleball association [Attachment 6]. Mr. Adams shared that pickleball is the fastest growing sport in country with the average age at 38. He said we currently have three indoor courts at the recreation park and four outdoor courts at Parker Meadows, but all of those are only available in the mornings, so we want to expand to add courts which are accessible in the afternoons and evenings for working folks. Mr. Adams indicated that other locations were looked at as shown in the handout, but the softball field is the location that is the best fit. He stated that he has \$155,000 set aside for pickleball courts in the budget. After brief discussion, the board consented for Mr. Adams to move forward with the proposed site and to develop formal plans.

**Resolution to exempt engineering services for groundwater monitoring and reporting for the Solid Waste Department from the provision of Article 3D of Chapter 143 of the North Carolina General Statutes** – Removed

**Resolution to exempt engineering services associated with the proposed turn lane required by NCDOT for the future Carson Convenience Center from the provisions of Article 3D of Chapter 143 of the NCGS** - Removed

**Results and recommendation regarding the Request for Proposal for Engineering Services for the Solid Waste Department** - Removed

**CONSENT AGENDA:** Upon motion by Commissioner Young, seconded by Commissioner Beale, the board voted unanimously to approve the consent agenda as presented. The Consent Agenda includes: (A) Minutes of the October 11, 2022 regular meeting and the October 18, 2022 joint meeting with the Macon County Board of Education, (B) Budget Amendments #86-98, (C) Macon County Transit Driver Handbook, (E) Tax releases for the month of October in the amount of \$682.34, (F) Delinquent Tax Relief in the amount

of \$35,775.46, and (G) Monthly ad valorem tax collection report – for which no action is necessary

**APPOINTMENTS:** Motion by Commissioner Young, seconded by Commissioner Shields to appoint Barry Breeden and Ben Laseter to the Planning Board, each for a term of three years. Vote was unanimous.

**CLOSED SESSION:** None

**ADJOURN:** With no other business, at 7:37 p.m., upon a motion from Commissioner Beale, 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