

**MACON COUNTY BOARD OF COMMISSIONERS  
NOVEMBER 13, 2018  
MINUTES**

Chairman Tate called the meeting to order at 6:00 p.m. and welcomed those in attendance. All Board Members, the County Manager, Deputy Clerk, Finance Director, County Attorney, members of the news media and interested citizens were present.

**ANNOUNCEMENTS:** Chairman Tate offered congratulations to the returning board members and Sheriff Holland, all of whom won re-election on November 6<sup>th</sup>.

**MOMENT OF SILENCE:** Chairman Tate asked those in attendance to observe a moment of silence.

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

**CONTINUATION OF PUBLIC HEARING ON ROAD NAMES/RANGES:** Chairman Tate called the public hearing to order as continued from the October 9, 2018 regular meeting. It was stated that the only item to be considered by the board was the proposed name change of Paul Walden Road to Bear Cub Trail. Angie Kinsland, the county's 911 Addressing Coordinator, told the board she had no new information to offer, other than the correspondence that was included in the agenda packet. The only person who signed up to speak was Karen Reese, who spoke at the previous meeting and told the board she failed to mention last time that delivery vendors in the Highlands area have confusion due to the number of roads with the word "bear" in the name. She commented that for the two women who sought the name change, Paul Walden Road was "not cute enough" for them. She also said that the part-time residents along the road did not have the monetary expense involved with the change of the road name. Chairman Tate had some questions for Ms. Reese, and noted he knew the road as Paul Walden Road when he was growing up. He also remembered that nine property owners want to change it to Bear Cub Trail, two wanted to keep it the same, and there was no response from one other, and also noted that the board usually went with the majority. There was further discussion, with Ms. Kinsland pointing out

that all name changes submitted to her office are considered, and that the cost to the county for changing a road name is approximately \$200. With no one else to speak to the road name change, Chairman Tate closed the public hearing at 6:09 p.m. Commissioner Beale then commented that he could never see a good reason to change the name. Following further discussion, he said this road has a legacy and made a motion to leave the name as Paul Walden Road. Commissioner Shields seconded the motion, and the board voted 4-1 to approve it, with Chairman Tate opposing.

**PUBLIC COMMENT PERIOD:** **Lyn Lazar** with the Veterans Council of Western North Carolina addressed the board regarding a planned “welcome home” meal for the members of the 210<sup>th</sup> Military Police Company of the Army National Guard. She outlined some the details regarding the meal, and asked the board for financial support, noting that the Jackson County Board of Commissioners agreed to fund \$2,500 of the cost. She said the meal is planned for the weekend of February 9, 2019 when the members would be in Sylva for drills, and plans call for hosting it at the Burrell Building on the campus of Southwestern Community College. She said the Veterans Council is a non-profit and is expecting the meal to cost approximately \$10,000. Commissioner Shields made a motion to match the \$2,500 contributed by Jackson County, with the funds to come from the contingency line item. Commissioner Beale seconded the motion, and it passed unanimously. **Jeff Pritz** said he wanted to talk about “how to make heroes out of the county commissioners for free.” Saying that he travels the Highlands Road on a daily basis and confronts slow moving traffic, he suggested a series of “Burma Shave” signs along the road, and he presented the signs that read as follows: (1) “Go-in slo,” (2) “Kars b-hind,” (3) “Pul over so,” (4) “They kin git by.” He said a fifth sign could be added to advertise the business that pays for the signs. He left the signs with the board saying, “I don’t want you to misspell it.” **Tamara Zwinak** recounted for the board the recent shooting at a Jewish synagogue in Pittsburgh, PA and presented a proposed resolution for the board’s consideration that she said was “asking you today to make it clear that there is no place for anti-Semitism in Macon County.” She described the county as full of people who are warm and friendly and a place where religious faiths can live side by side. She asked the board to vote in favor of the proposed resolution and noted that at the one Jewish synagogue in the county it was a “sign of the times” that a Franklin Police officer was present at a recent service. She told the board that a public denouncement of anti-Sematic hate is required. Commissioner Higdon said that Macon County is “not a county of hate” and that while there are “a few freaks out there,” he said America is “a great country with some crazy people in it.” Commissioner Shields asked the County Attorney for his input, and the County Attorney said that while he has no problem with the resolution as presented, he was concerned about singling out one particular faith. He said he could look into the matter more closely if the board wanted him to do so,

and after further discussion, Chairman Tate said the board would take the matter under advisement.

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

- To remove Item 11C(2), “Proposed advertising on vehicles” for Macon County Transit, per the County Manager.
- To remove Item 11D, “Tax refund request by Edward Hasler,” per the County Manager.
- To remove Item 11G, “Discussion regarding floor at Jerry Sutton Public Safety Training Center,” per the County Manager.
- To add consideration of Budget Amendment #87 as a part of Item 11B, “Resolution and lease agreement with TECO SSL, Inc.,” per the County Manager.

**UPDATE ON SPACE NEEDS ANALYSIS:** The County Manager updated the board on the planned space needs analysis of county facilities, explaining that there were “concerns” with the standard AIA contract presented by Mosley Architects. This document was reviewed by the County Attorney, and the County Manager said a “simpler, cleaner” version would be sent to the firm for its consideration. He asked the board to allow him to continue negotiations with Mosley, noting that the \$167,570 price for the analysis remains the same. Upon Mosley’s review and proposed acceptance of the revised contract, the County Attorney asked that the board authorize the County Manager to execute the contract with the firm subject to the County Attorney’s negotiations. Commissioner Gillespie made a motion to “move forward as recommended,” it was seconded by Commissioner Higdon, and passed unanimously.

**MEMORANDUM OF UNDERSTANDING FOR MACON SOIL AND WATER CONSERVATION DISTRICT:** Mike Breedlove, the District Director of the Macon Soil and Water Conservation District, requested that the board approve a Memorandum of Understanding (MOU) between the following agencies:

- The United States Department of Agriculture Natural Resources Conservation Service.
- The North Carolina Department of Agriculture and Consumer Services – Division of Soil and Water Conservation.
- The Macon Soil and Water Conservation District.
- Macon County, North Carolina.

The MOU is for the above-mentioned parties “in the conservation of natural resources.” Mr. Breedlove said, “We all need to know each other’s job.” The County Attorney pointed out that Macon County’s role is to provide administrative support to the district, noting the county is committed to doing

so and is supportive of the mission. Upon a motion by Commissioner Higdon, seconded by Commissioner Gillespie, the board voted unanimously to approve the MOU as presented, an unexecuted copy of which is attached (Attachment 1) and is hereby made a part of these minutes.

**LEASE AGREEMENT WITH TECO SSL, INC.:** Economic Development Director Tommy Jenkins provided the board with a handout regarding TECO, Inc., which is a provider of solid state lighting systems, primarily to automotive manufacturers. He said the company was founded in 2008 by Darrel Thornberry, who owns a home in Macon County. The company will be leasing the 3,700-square-foot “Unit B” in the county’s Business Development Center at a rate of \$3 per square foot or \$918 per month, with the one-year lease to become effective November 14<sup>th</sup>. Following discussion, including the need to equip the unit with a garage door, Commissioner Higdon made a motion to approve the “Resolution of the Macon County Board of County Commissioners Declaring Property to be Surplus and Approving a One Year Lease of the Same by Macon County to TECO SSL, Inc., a Tennessee Business Corporation,” along with accompanying lease, copies of which are attached (Attachments 2 and 3, respectively) and are hereby made a part of these minutes. In a related item, upon a motion by Commissioner Gillespie, seconded by Commissioner Higdon, the board voted unanimously to approve Budget Amendment #87 for Economic Development, which appropriates \$7,000 from the economic development fund balance for the new garage door at the Business Development Center. A copy of the budget amendment is attached (Attachment 4) and is hereby made a part of these minutes.

**TRANSIT SYSTEM SAFETY PLAN:** Transit Director Kim Angel told the board that an update of the Macon County Transit System Safety Plan was required, and she had provided the board members a synopsis of the lengthy plan prior to the meeting. She told the board that this would become an annual event each November. She also noted that she, as director, was designated in the plan as the accountable executive and that Ryan Dunn, the operations supervisor, was designated as the safety coordinator, and that these duties had been added to their respective county job descriptions. Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve the Macon County Transit System Safety Plan Update. A copy of the entire plan is attached (Attachment 5) and is hereby made a part of these minutes.

**RELEASE OF SURETY BOND:** Planning, Permitting and Development Director Jack Morgan passed out copies of his certification that Indigo Homestead, Inc. “has met all of the conditions of the requirements of Chapter 153 in connection with its project described in the attached Land Disturbing Surety Bond and that Macon County should release and cancel such surety bond.” Upon a

motion by Commissioner Higdon, seconded by Commissioner Shields, the board voted unanimously to authorize Mr. Morgan and/or the County Manager to release and cancel the bond.” A copy of the certification is attached (Attachment 6) and is hereby made a part of these minutes.

**NCACC VOTING DELEGATE:** Upon a motion by Commissioner Shields, seconded by Commissioner Gillespie, the board voted unanimously to designate Commissioner Beale as the board’s voting delegate for the North Carolina Association of County Commissioners (NCACC) Legislative Goals Conference, to be held January 10-11, 2019 in Wake County.

**CONSENT AGENDA:** Upon a motion by Commissioner Higdon, seconded by Commissioner Shields, the board voted unanimously to approve the items on the consent agenda as follows: the minutes of the September 11, 2018 regular meeting, the September 25, 2018 continued session and the October 9, 2018 regular meeting; the following budget amendments: #74 for Emergency Management to move \$1,100 back into its donations account; #75 for Emergency Management to move \$10,000 in special gifts and grants back into its donations account; #76 for the Department of Social Services to appropriate \$300 in foster care donations; #77 for the Health Department to appropriate \$40,000 in grant money received from the Mission Hospital Foundation; #78 for the Health Department to appropriate \$873,930 in grant funds from the Appalachian Regional Commission; #79 for Fire Services to appropriate \$1,053 from an insurance settlement for vehicle repairs; #80 for the Health Department to appropriate \$39,200 in grant money from the Opioid Consortium; #81 for the Health Department to carry forward unexpended grant money in the amount of \$3,138 from Fiscal Year 2017-18 to the current year; #82 for the Health Department to carry forward \$3,798 in funds in order to refund an overpayment from the Community Health Grant Foundation; and #83 for the Transit Department in the total amount of \$267,361 to complete the FareCard Project with regional partners and to finish the department’s fleet parking lot; (copies of the amendments are attached); tax releases for the month of October in the amount of \$2,086.12; the Macon County 2019 Holiday Schedule; and the monthly ad valorem tax collections report (no action necessary).

**APPOINTMENTS: Highlands Tourism Development Commission:** Upon a motion by Commissioner Higdon, seconded by Commissioner Shields, the board voted unanimously to appoint Travis Brooks, the manager of Lakeside Restaurant, to the Highlands Tourism Development Commission (TDC) as an at-large member, fulfilling the unexpired term of Laura Huerta.

**CLOSED SESSION:** Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to go into closed session

at 7:01 p.m. for the purpose of preserving the attorney/client privilege under NCGS 143-318.11(a)(3). At 7:49 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.

**PERSONNEL MATTER/SETTLEMENT:** The County Attorney outlined the discussion that took place in closed session regarding the settlement of a claim involving Macon County, Macon County Public Health and Lisa Marling, who the County Attorney explained was unjustly fired without due cause from her job at Public Health. Following additional explanation and discussion, upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve a settlement agreement with Ms. Marling, with \$4,331 to come from the county's contingency fund.

**RECESS:** With no other business, at 7:51 p.m., upon a motion by Commissioner Higdon, seconded by Commissioner Beale, the board voted unanimously to recess the meeting until Monday, December 3, 2018 at 6:00 p.m. in the commission boardroom on the third floor of the Macon County Courthouse, 5 West Main Street, Franklin, NC for the purposes of administering the oaths of office to the re-elected commissioners, for the board to elect a chair and a vice-chair, to examine the official bonds of public officials, to consider its 2019 meeting schedule, and for any other business that may come before the board.

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Derek Roland  
Ex Officio Clerk to the Board

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Jim Tate  
Board Chairman