

**MACON COUNTY BOARD OF COMMISSIONERS
FEBRUARY 12, 2013
MINUTES**

Chairman Corbin convened the meeting at 6:01 p.m. All Board Members, the County Manager, Deputy Clerk, Finance Director, County Attorney, members of the news media and interested citizens were present.

ANNOUNCEMENTS: Chairman Corbin recognized the contributions of J.C. and Frankie Jacobs, who operated People's Department Store on the square in downtown Franklin for some 55 years. Following a time of remembrances and tributes from the individual commissioners to the Jacobs family in honor of their business and community involvement, Chairman Corbin presented Mr. and Mrs. Jacobs with the Macon County Community Service Award.

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

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

PUBLIC HEARING ON ROAD NAMES/NUMBERS: Chairman Corbin called the public hearing on the proposed names for new roads and the assigning of a range of road numbers to order at 6:08 p.m. Angie Kinsland, the county's 911 Addressing Coordinator, told the board that all of the necessary notices had been posted as required, and with some minor changes to the range numbers of five roads, recommended that the board accept and approve the list of new road names as presented. The County Attorney said that an amendment to the county's road naming and numbering system ordinance had been prepared for the board's consideration and that the list of new roads could be found as

Exhibit A to that document. No one signed up to speak at the hearing, and Chairman Corbin closed the hearing at 6:11 p.m. Upon a motion by Commissioner Haven, seconded by Commissioner Beale, the board voted unanimously to adopt the “February 12, 2013 Amendment to Macon County Road Naming and Numbering System Ordinance Heretofore Codified as Chapter 14 of the Macon County Code” (Attachment 1), a copy of which is attached and is hereby made a part of these minutes.

PUBLIC HEARING ON INSTALLMENT FINANCING CONTRACT AND DEED OF TRUST FOR HIGHLANDS SCHOOL RENOVATION:

Chairman Corbin opened the public hearing at 6:12 p.m. and asked the County Attorney to explain the reason for the hearing. The County Attorney noted that the board had held a public hearing on this matter at its January 8, 2013 regular meeting, but at that time, information regarding the deed book and page number of the property in question was incorrect, and he felt the need to report the correct information within the context of a public hearing. The County Attorney went on to report that a notice of a public hearing was published on January 30, 2013 stating that the board would hold a public hearing on February 12, 2013 at 6 p.m. to receive public comment on the proposed execution and delivery by the county of (1) an installment purchase contract in an aggregate principal amount not to exceed \$1,500,000 in order to pay the capital costs of certain improvements to Highlands School and to pay certain costs related to the execution and delivery of the contract and (2) a deed of trust, security agreement and fixture filing under which the county will grant a lien on its fee simple interest in all or a portion of the site on which Highlands School is located, including the improvements thereon, as may be required by the entity or entities, or their respective assigns, providing the funds to the county under the contract. Chairman Corbin noted that no one had signed up to speak, and closed the public hearing at 6:17 p.m.

PUBLIC COMMENT: **Kim Terrell** thanked the board for considering the development of the Parker Meadows Recreational Park, saying it was long overdue. With three children playing Little League sports, she told the board that “the kids in this community deserve better” and encouraged the board to move forward with the project. **Billy Vanhook** said he was here again in support of kids, telling the board that he wanted to do everything he could to make sure the proposed recreation park project moves forward. Saying that that due diligence process was going great, he asked the board not to “listen to the negatives,” adding, “I want to be your partner.” Commission Haven requested time on the agenda to discuss the project, saying that he has heard negative comments on it related to the proposed cost. **Les Slater** spoke regarding cemeteries in

the county, noting that the board has the authority to appoint a cemetery board to deal with abandoned cemeteries, and that he would like to see that move forward. Commissioner Beale noted that the county commission currently acts as a cemetery board, and the County Attorney was asked to research the matter and prepare a memo for the board's consideration.

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

- To schedule a closed session as Item 13 in order to discuss an economic development proposal and to consult with the attorney, per Chairman Corbin.
- To add a presentation on legislative issues as Item 8C under Reports/Presentations, per Commissioner Beale.
- To add an item regarding the proposed Parker Meadows Recreational Park, specifically discussion of obtaining another appraisal, as Item 9A under Old Business, per Chairman Corbin.

REQUEST TO FILL IN FLOODPLAIN: Jerry Cook, representing Wells Grove Baptist Church, explained that he had appeared before the board in September of 2011 to request permission for the church to place fill dirt on property it owns in the floodplain along the Cullasaja River. He said the situation had progressed no further and he was here again to see if some agreement could be reached. County Planner Matt Mason said that the county's ordinance does not allow for offsite fill to be placed on a parcel, and noted that Macon was the only county in western North Carolina that limits fill in the floodplain. He recommended that the planning board and/or the board of commissioners discuss this point. Following discussion, the consensus among the commissioners was to have this particular item amended and to refer the matter to the planning board via Commissioner Tate, the planning board's liaison. No formal action was taken.

VETERANS MEMORIAL: Neal Riendeau told the board that it costs \$6,500 per year to maintain the Veterans Memorial located near the county's Community Facilities Building. He pointed out he was not asking the county for money, but explained that the sale of memorial bricks was the main source of income to keep the site maintained, but that sales had decreased significantly over the past two years. He told the board that he "wanted to get it out again" that this is a great way to honor a veteran. Chairman Corbin told him the board supports his efforts.

LEGISLATIVE ISSUES: Commissioner Beale told the board that a new caucus, consisting of former county commissioners who are now legislators, had formed at the General Assembly. He also spoke to the need to have more magistrates reinstated in the rural counties, in part to assist with involuntary commitments.

PARKER MEADOWS APPRAISAL: The board held a brief discussion regarding the need to have another appraisal performed on the property that is the proposed site of the Parker Meadows Recreational Park. The County Manager noted that the archeological report on the site should be in hand by the end of the month, and after further discussion, the board agreed to wait on the results of that report before taking any action.

Chairman Corbin declared a recess at 7:19 p.m.

Chairman Corbin called the meeting back to order at 7:38 p.m.

DEFIBRILLATOR REPLACEMENT AND EMS STAFFING RECOMMENDATIONS: Emergency Management Director David Key introduced Tim Nettles with Zoll Medical Corporation. Mr. Nettles demonstrated the company's new defibrillator as well as a CPR machine called Auto-Pulse and answered questions from the board. Mr. Key told the board that the defibrillator was used on every call made by EMTs, and that they responded to an average of two cardiac arrest calls per month. He explained that the offer to purchase the defibrillators and get three free Auto-Pulse machines came with time constraints, and added that the county was using outdated equipment that was 10 to 12 years old. Chairman Corbin said the county needed to put this type of equipment on a replacement cycle with a five- to seven-year rotation, given the final cost of approximately \$378,000 for the 12 units. Mr. Key noted that the priority in the current year budget had been to replace ambulances. The County Manager and the Finance Director discussed the possibility of doing a 59-month installment purchase, but final numbers were not yet available. The Finance Director said a package could be put together prior to the quote from Zoll expiring on February 28th. Commissioner Tate recognized Jeff James, one of the county's longest-serving EMTs, who had told the board he was very impressed with the defibrillators and the Auto-Pulse machines, adding that both needed to be on all five of the county's full-time ambulances. Mr. Key said he wanted to stock all of the county's ambulances the same, even the backups. The County Manager told the board members they could take this issue up again at their continuation meeting on February 18th. The discussion then turned to staffing, as Mr. Key said the EMTs would

go to 24/72 shifts, with 24 hours on duty followed by 72 off, as of February 25th. However, to fill out complete crews, he said he would need four additional EMT positions, adding that he was currently advertising two open positions. Commissioner Higdon said this also should be worked into the budget process. Following extensive discussion, the County Manager told the board he would work on a plan to implement the additional crew. No formal action was taken.

AMENDED SCHOOLS CAPITAL OUTLAY REQUEST: The Finance Director said the county's board of education wanted to reallocate some of the Category 1 funds in its capital outlay plan from the renovations of the Franklin High School (FHS) dressing rooms to the upgrade of the FHS baseball field, which calls for moving \$21,435 to the latter project. Following a brief discussion, and upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to amend the capital outlay plan as requested (Attachment 2), a copy of which is attached and is hereby made a part of these minutes.

ASBESTOS REMOVAL AT HIGHLANDS SCHOOL: The County Manager explained that the glue under the floor tile at Highlands School has asbestos in it, and must be removed prior to the major renovation project that will get underway later this year. He said there is a window of opportunity to get the work done during the school's spring break, and that the work should not exceed \$50,000. He asked for authorization from the board to proceed with the project, to go through the bidding process and get the work completed. Upon a motion by Commissioner Haven, seconded by Commissioner Tate, the board voted unanimously to authorize the County Manager to proceed as stated, with the funding for the work to be reimbursed to the county out of the proceeds of the Qualified Zone Academy Bonds (QZAB) financing.

INTERLOCAL AGREEMENT WITH THE MACON COUNTY BOARD OF EDUCATION REGARDING HIGHLANDS SCHOOL: The County Attorney explained that he and John Henning, Jr., the attorney for the Macon County Board of Education, had prepared an interlocal agreement that transfers the Highlands School property from the school system to the county for use as collateral for the QZAB loan. The board of education had already given its approval to the agreement, and upon a motion by Commissioner Tate, seconded by Commissioner Haven, the board voted unanimously to approve the agreement as presented (Attachment 3), a copy of which is attached and is hereby made a part of these minutes.

IOTLA VALLEY ELEMENTARY PLAYGROUND EQUIPMENT: Gary Brown, the principal at Iotla Valley Elementary School, and Cedar

Breeden, the president of the school's PTO, addressed the need for playground equipment at the newly-built facility and pointed out that the PTO had raised \$15,000 toward that cause, with the money having been presented to the board of education. The total cost of preparing the playground, including equipment and mulch, was expected to be about \$48,000, and the county had been asked to match the donation with the difference. Chairman Corbin said there were sufficient funds remaining in the contingency line item of the school's construction budget to approve the request. Commissioner Higdon said that he was "irritated," adding that it was not the responsibility of the community to bring the school up to standard. He said the school, the children and the community deserve a playground and should not have to "beg" for it. The County Manager complimented the community on a "tremendous job" in raising the \$15,000. Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to take \$35,000 from the construction budget's contingency fund to pay for the remainder of the playground equipment and other related items.

CHANGE ORDER NO. 14 ON THE LITTLE TENNESSEE RIVER/CARTOOGECHAYE CREEK TRUNK SEWER PROJECT: The County Manager explained that this change order, in the amount of \$20,813.10, covers repairs made to pavement following the construction of the sewer line. No additional local funds were required, and it also adds five additional days to the contract time. Upon a motion by Commissioner Haven, seconded by Commissioner Beale, the board voted unanimously to approve the change order as presented (Attachment 4), a copy of which is attached and is hereby made a part of these minutes.

CHANGE ORDER NO. 2 ON THE SWISS COLONY AREA WATER SYSTEM IMPROVEMENTS: The County Manager explained that the change order reflects an increase of \$14,750 that is directly related to the purchase and installation of some 50 water meters for the Swiss Colony project, and adds a net increase of 21 days to the contract time. The original plan was for the Town of Franklin to purchase and install the meters and to be reimbursed, and the County Manager said that instead the contractor will make the installations and bill the county directly. He noted the project is completely funded by grant money. Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to approve the change order as presented (Attachment 5), a copy of which is attached and is hereby made a part of these minutes.

INTERLOCAL AGREEMENT WITH THE TOWN OF FRANKLIN REGARDING VIRTUAL PRIVATE NETWORK (VPN): The County

Attorney told the board that the proposed interlocal agreement, already approved by the Town of Franklin Board of Aldermen, would allow the town police department access to the county's Virtual Private Network (VPN) in order to connect to the county's computer aided dispatch mobile server. He said this would save the town as much as \$28,000, and that he had been advised by the county's Information Technology staff that there would be benefits to the county as well. Upon a motion by Commissioner Higdon, seconded by Commissioner Haven, the board voted unanimously to approve the interlocal agreement, which includes a 90-day termination clause, as presented (Attachment 6), a copy of which is attached and is hereby made a part of these minutes.

CONSENT AGENDA: Upon a motion by Commissioner Higdon, seconded by Commissioner Beale, the following items on the consent agenda were unanimously approved: **Minutes** – Approved the minutes from the January 8th, January 14th and January 19th meetings. **Budget amendments** – Approved the following budget amendment: #105 for the Solid Waste Department to use \$3,000 in revenue to set up the fluorescent lamp recycling program in the county. (Revision with corresponding number attached.) **Tax releases** – Approved tax releases in the amount of \$1,796.77. (A computer printout of releases is on file in the Tax Department and the County Manager's office.) **Monthly ad valorem tax collection report** – No action necessary. **Delinquent tax report** – Acknowledged receipt of the report from Tax Collector Margaret Perry as to the total amount of unpaid 2012 taxes.

APPOINTMENTS: (A) Town of Franklin Planning Board and Board of Adjustment – representative from the Extraterritorial Jurisdiction (ETJ) – Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to reappoint Dave Jones as a member of the board for a three-year term, based upon a recommendation from the Town of Franklin. **(B) Library Board** – Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to reappoint Nancy Scott to a three-year term on the board, and to appoint Charles Gorgoglione and Nancy Reeder to the board, also for terms of three years. **Nursing and Adult Care Home Community Advisory Committee** – Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to reappoint Dorothy Crawford to the committee upon the request of the Southwestern Commission.

CLOSED SESSION: Prior to going into closed session, Chairman Corbin announced that the board would recess this meeting until February 18, 2013 at 6 p.m. in the commission boardroom. At 9:38 p.m., and upon a

motion by Commissioner Haven, seconded by Commissioner Beale, the board voted unanimously to go into closed session for the purpose of consulting with the attorney under G.S. 143-318-11(a)(3) and to discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body under G.S. 143-318-11(a)(4). At 9:57 p.m., and upon a motion by Commissioner Higdon, seconded by Commissioner Tate, the board voted unanimously to come out of closed session. No action was taken.

RECESS: At 9:58 p.m. and as previously announced, Chairman Corbin recessed the meeting until Monday, February 18, 2013 at 6 p.m. in the commission boardroom on the third floor of the Macon County Courthouse, located at 5 West Main Street, Franklin, NC.

Jack Horton, County Manager
Clerk to the Board

Kevin Corbin
Board Chairman