

MACON COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 11, 2012
MINUTES

Chairman Corbin convened the meeting at 6:03 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: Commissioner Haven asked those in attendance to remember the anniversary of the 9/11 attacks. Commissioner Beale announced a benefit for county employee Dennis Tippett to be held on October 13th. Commissioner Beale also noted that the Macon County Fair would begin on September 12th. Chairman Corbin said that North Carolina Speaker of the House Thom Tillis would soon be visiting Macon County for two days. Chairman Corbin also announced that Steve Ledford, the county's Buildings and Grounds Maintenance Superintendent, was inducted into the Mountain State Fair Livestock Hall of Fame on September 7th.

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

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

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION SECONDARY ROAD PROGRAM PUBLIC MEETING: Chairman Corbin called the public meeting to order at 6:10 p.m. and recognized Joel Setzer, the division engineer for the North Carolina Department of Transportation (NCDOT). Mr. Setzer explained that he was coming before the board seeking approval for the program for secondary road improvements. In addition to coordinating those improvements with the county, Mr. Setzer said that NCDOT representatives wanted to "hear what's on your mind on other transportation issues." He introduced several NCDOT staff members, and then recognized Wesley Grindstaff, the district engineer, who then outlined the projects for Fiscal Year 2013. Mr. Grindstaff explained that the total anticipated funding for 2013 was \$565,374.11, with the majority of the funds going toward improvements on SR 1603 (Horse Cove Road). He also reviewed anticipated allocations for Fiscal Years 2014 and 2015 and then asked the board to consider a resolution approving the 2013 program. The commissioners and NCDOT representatives then discussed a number of issues, including a cap on the state's gasoline tax, the possibility of counties having to take over the

roads program, the need for a traffic signal near Macon Middle School, traffic issues along Needmore Road and U.S. 23/441 south of Franklin, the status of the memorandum of understanding regarding McCoy Bridge, the status of the Highlands Road truck turnaround, NCDOT worker safety, the dedication of the Nathan B. "Nat" Henry bridge and the reopening of the Little Tennessee River Greenway following construction of the new bridge over the Little Tennessee. Chairman Corbin asked for public comment on the Secondary Road Program, and hearing none, closed the public meeting at 6:53 p.m. Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to approve the resolution as requested (Attachment 1), a copy of which is attached and is hereby made a part of these minutes.

PUBLIC COMMENT: Dave Lynn asked the board if the greenway would be open in time for the half marathon scheduled for November, explaining that 75 runners – some from as far away as Texas – had already signed up, and that he would need to notify them well in advance if the event could not take place. The board voiced its support for the event, which is a benefit for REACH, and asked Mr. Setzer to work with Mr. Lynn to ensure that the pathway would be safe for the runners.

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

- To table Item 10G, per the County Manager, who explained that the resolutions regarding financing with BB&T were not ready but would be by the board's recessed meeting on September 24th.
- To go into closed session to discuss property acquisition, per Commissioner Beale.

PRESENTATION REGARDING WEBSTER ENTERPRISES: Gene Robinson, the executive director of Webster Enterprises in Jackson County, gave the board a report on the organization's revitalization efforts and thanked the commissioners for funding that they had allocated over the last two budget years.

Chairman Corbin declared a recess at 7:25 p.m.

Chairman Corbin called the meeting back to order at 7:40 p.m.

RECOMMENDATION OF AWARD FOR SWISS COLONY WATER SYSTEM IMPROVEMENTS: The County Manager explained that this is the final phase of the Highway 28/Riverbend water project, and will be

completely funded with grant money. He said the project was expected to be finished last year but was held up due to rights-of-way issues. McGill Associates recommended awarding the bid to the lowest of five bidders, Buchanan and Sons, Inc, in the amount of \$682,535. Upon a motion by Commissioner Koppers, seconded by Commissioner Beale, the board voted unanimously to award the bid to Buchanan and Sons, Inc. A copy of the Recommendation of Award letter from McGill Associates (Attachment 2) is attached and is hereby made a part of these minutes.

CHANGE ORDER ON THE IOTLA VALLEY ELEMENTARY SCHOOL PROJECT: The County Manager explained the need for the change order, which essentially involved interim measures to get water into the building system for line testing and HVAC start-up, and credited Mike Watson, the architect on the project, with keeping the amount at \$8,000. Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to approve the change order (Attachment 3), a copy of which is attached and is hereby made a part of these minutes.

AMBULANCE BIDS: The County Manager provided the board with background information on the bid process, but requested that the board formally reject the bids and readvertise. He explained that, due to a change in the bid specifications, there was some confusion as to whether the low bid of the four submitted was qualified. He said if the current bids were rejected, the county was prepared to rebid the ambulances and to open the bids on September 20th, placing the board in position to consider the new bids on September 24th. The County Attorney strongly recommended rejecting the bids and readvertising, and had prepared a resolution to that effect for the board's consideration. Upon a motion by Commissioner Tate, seconded by Commissioner Beale, the board voted unanimously to adopt the "Resolution Rejecting all Bids or Proposals in Response to Advertisement for Bids in Connection with the Purchase of Two Ambulances" (Attachment 4), a copy of which is attached and is hereby made a part of these minutes.

GOVERNOR'S HIGHWAY SAFETY PROGRAM GRANT PROPOSAL: Sheriff Robert Holland told the board that the Governor's Highway Safety Program has approved a grant proposal for the sheriff's office for the federal fiscal year beginning October 1, 2012. The proposed grant would establish a new position, a traffic safety officer, and cover initial equipment and other expenses. In the first year, the program would pay 85 percent (\$103,033) of the total cost of \$121,215. After the first year, only personnel costs are involved, and the grant would cover 70 percent of those in the second year and 50 percent in the third year, with the

county fully responsible for costs in the fourth year. The sheriff told the board he uses every possible tool to be safe. He explained that the board must pass a resolution prior to September 30th authorizing his office to enter into a contract for the grant and to appropriate funds for the local match. Following discussion – including the need for a budget amendment – upon a motion by Commissioner Haven, seconded by Commissioner Tate, the board voted unanimously to approve a four-year commitment to the program (with the understanding that an annual renewal would be needed) and to approve a budget amendment totaling \$121,215 for the sheriff's department, including \$18,182 in local matching funds. A copy of the memo from the sheriff to the board (Attachment 5) and the required Local Government Resolution (Attachment 6) are attached and hereby made a part of these minutes.

BIDS FOR SHERIFF'S VEHICLES: The County Manager explained that the board had approved the purchase of six vehicles for the sheriff's department, including five patrol cars and one sport utility vehicle (SUV). Three bids were received on the patrol cars on August 21st, and the low bid was submitted by Ilderton Dodge of High Point, NC at \$22,087 for each Dodge Charger for a total cost of \$110,435. Upon a motion by Commissioner Kupperts, seconded by Commissioner Beale, the board voted unanimously to accept the bid from Ilderton Dodge as presented. The County Manager pointed out that the SUV would be bid separately.

SUBORDINATION AGREEMENT REGARDING COMMUNITY DEVELOPMENT BLOCK GRANT LOAN: The County Attorney and the County Manager explained the need for the agreement, which essentially allows Macon Bank to take the first lien position and Macon County the second or subordinate position on this particular loan to James Robert Elliott. A copy of the subordination agreement (Attachment 7) is hereby attached and made a part of these minutes. Upon a motion by Commissioner Tate, seconded by Commissioner Kupperts, the board voted 3-1 to approve the agreement, with Commissioner Haven opposing and Commissioner Beale abstaining due to his position on the bank's board of directors.

REFINANCING RESOLUTIONS WITH BB&T: Tabled until September 24th.

COWEE SCHOOL/MACON COUNTY HERITAGE CENTER: The County Manager explained the need to consider a number of documents involving the transition of the former Cowee School into the Macon County Heritage Center. The first one involved a professional services agreement between the county and Stacy J. Guffey regarding fund

raising and operations services for the county in order to implement the approved business plan for the transition from the school to the heritage center. The County Manager noted that the estimated cost of the project was \$69,448, which includes funds to pay Guffey \$3,000 per month as project manager through June 30, 2013 as well as for other related materials and expenses. This would necessitate a budget amendment to move money from the contingency fund. The other document involves a Memorandum of Understanding (MOU) between the county and the Land Trust for the Little Tennessee (LTLT). As stated in the MOU, "As work begins on implementing the proposed business plan, both parties seek to reaffirm their commitment to work together to achieve the County's vision at the Cowee School." The MOU outlines the mutual goals as well as each party's roles and responsibilities. Following discussion, and upon a motion by Commissioner Koppers, seconded by Commissioner Tate, the board voted 4-1, with Commissioner Haven opposing, to (1) enter into the contract with Mr. Guffey (Attachment 8) as presented, (2) approve Budget Amendment #34 (Attachment 9) within Economic Development to appropriate \$69,448 from contingency for the costs of transitioning the Cowee School into the Macon County Heritage Center and (3) approve the MOU with the LTLT (Attachment 10) as presented. These documents are attached and are hereby made a part of these minutes.

CONSENT AGENDA: Upon a motion by Commissioner Koppers, seconded by Commissioner Tate, the following items on the consent agenda were unanimously approved: **Minutes** – Approved the minutes from the August 14th and August 21st meetings. **Budget amendments** – Approved the following budget amendments: #29 for the Health Department to appropriate \$175,051 in additional money received from the state; #30 for Education to carry forward \$7,647 in unspent funds from Fiscal Year 2011-12 to Fiscal Year 2012-13; #31 for Emergency Management to appropriate \$17,655 in insurance funds received for lightning damage to radio equipment at EMS; #32 for Economic Development to appropriate a \$10,000 grant received from the Southwestern Commission for a strategic economic development plan for the agricultural sector of Macon County's economy; #33 for the School Capital Project for the approved budget amendment for Change Order Number 3 on the Iotla Valley Elementary School Project. (Revisions with corresponding numbers attached.) **Tax releases** – Approved tax releases in the amount of \$3,291.41. (A computer printout of releases is on file in the Tax Department and the County Manager's office.) **Macon Public Health Center fees** – Approved the Macon County Public Health Fee Schedule for Fiscal Year 2012-13 as well as the center's billing and collection policies per the attached documents. **Resolution regarding**

Designation of Applicant's Agent for the North Carolina Division of Emergency Management – Approved a resolution designating David Key and Lori Hall as the primary and secondary agents, respectively, to oversee the grant process for the Regionalization Hazard Mitigation Plan.
Monthly ad valorem tax collection report – No action necessary.

APPOINTMENTS: Board of Health – Following comments by Commissioner Kupperts, and upon a motion by Commissioner Beale, seconded by Commissioner Kupperts, the board voted unanimously to appoint Dr. Fred Berger to the Board of Health to fill the unexpired term of Dr. Douglas Egge, who had submitted his letter of resignation from the board.

CLOSED SESSION: At 8:57 p.m., and upon a motion by Commissioner Beale, seconded by Commissioner Haven, 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 property acquisition under G.S. 143-318-11(a)(5). Prior to entering closed session, Chairman Corbin announced that the board would recess this meeting until Monday, September 24, 2012 at 6 p.m. At 9:29 p.m., and upon a motion by Commissioner Kupperts, seconded by Commissioner Beale, the board voted unanimously to come out of closed session.

RESOLUTIONS REGARDING MEDALLIONS OF HONOR: Upon a motion by Commissioner Kupperts, seconded by Commissioner Haven, the board voted unanimously to adopt resolutions awarding the Macon County Medallion of Honor to Nathan B. “Nat” Henry and to Dr. Thomas M. McNish. Copies of the resolutions (Attachments 11 and 12) are attached and are hereby made a part of these minutes. The board planned a ceremony to honor Mr. Henry and Dr. McNish later in the month.

RECESS: At 9:31 p.m. and upon a motion by Commissioner Kupperts, seconded by Commissioner Haven, the board voted to recess the meeting until Monday, September 24, 2012 at 6 p.m. in the commission boardroom on the third floor of the Macon County Courthouse at 5 West Main Street, Franklin, NC.

Jack Horton, County Manager
Clerk to the Board

Kevin Corbin
Board Chairman