

**MACON COUNTY BOARD OF COMMISSIONERS  
OCTOBER 9, 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:** The County Manager announced that he was a new father, and described his son as “the greatest blessing I’ve ever known,” noting that his name is Judson Rufus Roland. Chairman Tate noted that former Macon County Health Director Jim Bruckner would not be in attendance as planned to receive recognition for his years of service to the county, but also pointed out that Interim Health Director Carmine Rocco was here and that the board would be introduced to him later in the meeting. The County Manager said that Cody Haven, who is in the Masters of Public Administration program at Western Carolina University, was in attendance, as Mr. Haven is “shadowing” the County Manager. Chairman Tate announced that “Halloween in the Park” would be held October 30<sup>th</sup>, not October 31<sup>st</sup>.

**MOMENT OF SILENCE:** Chairman Tate 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/RANGES:** Chairman Tate called the public hearing on the proposed names for new roads, to assign a range of road numbers in connection with the same, to consider requests for road name changes and to consider a change of range of numbers for certain roads to order at 6:03 pm and recognized Angie Kinsland, the county’s 911 Addressing Coordinator. Ms. Kinsland said that the hearing had been posted and advertised as required. She pointed out that on one proposed road name change nine landowners favored it, two opposed it and one had yet to be heard from. However, she also noted that she had sent letters regarding the hearing date, and had incorrectly put October 8<sup>th</sup> instead of October 9<sup>th</sup>. The County Attorney told the board members that if they were concerned that people might

have shown up the night before for a hearing that did not take place, then the board could take this particular road out of consideration and continue the public hearing to the November regular meeting, address it at that time, and instruct Ms. Kinsland to contact the affected individuals. "That might be the fairest thing to do," he said, adding that the commissioners can hear from those who are in attendance tonight. Chairman Tate agreed, and continued with the public hearing, noting that the board will hold action on the proposed renaming of Paul Walden Road to Bear Cub Trail until the November meeting. The continuation of the public hearing will apply to this one item only. He said three people had signed up to speak. **Karen Reese** said she had lived on Paul Walden Road for 16 years and that Mr. Walden developed the road. She said the two ladies who want the name changed are seasonal residents who do not receive mail there. She added that the couple who now live in the Walden house do not want the name changed, and read a letter from Jason and Melisa Woolf, a copy of which is attached (Attachment 1) and is hereby made a part of these minutes. **Diana Pinner** told the board she was one of those seasonal residents who wanted to change the name. A home owner for 15 years, she said she wanted the name changed to Bear Cub Trail in keeping with nearby Big Bear Pen. She said there is a "mama bear" who has taken up residence in the area and brings her cubs through. She then detailed her efforts to research the area, Mr. Walden and the road, and said that, "I wish we had been able to get everyone on board with this," adding she was "not trying to destroy history." **Louise Royal**, also a supporter of the name change, told the board that she was not a newcomer to the area but that her family had owned property here since the 1940s, and she talked about her experiences and the history of the area. Following additional comments from Ms. Royal, the County Attorney said that the public hearing could be closed with the exception of additional comments regarding Paul Walden Road and be continued to the November meeting for additional comment on this subject only. Chairman Tate closed the public hearing at 6:20 p.m., with the exception of Paul Walden Road, and continued it to Tuesday, November 13, 2018 at 6 p.m. in the commission boardroom. The County Attorney told the board that he had an amendment to the county's ordinance for the commissioners to consider, copies of which he distributed, and noted a line would need to be drawn through Paul Walden Road on Exhibit A to the amendment. With no further discussion, and upon a motion by Commissioner Shields, seconded by Commissioner Higdon, the board voted unanimously to approve the "October 9, 2018, Amendment to Macon County Road Naming and Numbering System Ordinance Heretofore Codified as Chapter 14 of the Macon County Code," a copy of which is attached (Attachment 2) and is hereby made a part of these minutes.

**PUBLIC HEARING ON MACON COUNTY COMMUNITY TRANSPORTATION PROGRAM APPLICATION:** Chairman Tate called the public hearing on the Macon County Community Transportation Program Application to order at

6:31 p.m. and recognized Transit Director Kim Angel, who joined the meeting via telephone. She explained that the application consists of three different projects, Administrative, Capital (Vehicles and Other) and Operating, and that each grant request must be addressed individually and reflected in the minutes. Under the Administrative grant, the county's request is for \$195,439, with Macon County to provide a 15 percent match of \$29,316. She provided details on the administrative operation of the Transit service, and no one signed up to speak. Under the Capital grant, a total of \$84,700 was requested, with a 10 percent match of \$8,470 to come from the county. She explained how these funds are used to purchase vehicles and computers, and no one signed up to speak. Under the Operating grant, the request for \$165,000 requires a 50 percent match, and Ms. Angel explained that the bulk of the match money comes from a variety of revenue sources, including fares. The total local share is \$120,286, and she reminded the board that these figures are for Fiscal Year 2019-2020. Again, no one signed up to speak. Commissioner Tate offered one final opportunity for public comment, and there was none. He closed the public hearing at 6:37 p.m. Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve the "Public Transportation Program Resolution as presented, a copy of which is attached **(Attachment 3)** and is hereby made a part of these minutes.

**PUBLIC COMMENT:** **Narelle Kirkland** again voiced her request to have the gravel portions of the Little Tennessee River Greenway paved as a safety precaution.

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

- To add consideration of a Satisfaction of Security document as the new Item 11(D) under New Business, per the County Attorney.

**RECOGNITION OF JIM BRUCKNER:** Chairman Tate, who serves as the board's liaison to the Macon County Board of Health, said that former Public Health Director Jim Bruckner "has been great to work with," and that the county was "blessed to have him here over 11 years." The board had planned to present Mr. Bruckner with a plaque in recognition of his service, but he could not attend the meeting. The County Attorney said that Mr. Bruckner had introduced county representatives to Carmine Rocco, who will serve as the Interim Health Director while the board of health conducts a search for a full-time director. The County Attorney said that he had prepared a contract with Mr. Rocco that called for Mr. Rocco to work a "ceiling" of 32 hours per week, but Mr. Rocco had indicated a need to possibly work more hours if the board of

health approved. Following further discussion, and upon a motion by Commissioner Shields, seconded by Commissioner Beale, the board voted unanimously to allow Mr. Rocco to exceed the 32-hour weekly limit in the contract, if needed. Mr. Rocco was recognized, and said he had lived in North Carolina since 1987 and had worked in public health in several counties. He said he had received a “warm, welcoming feeling from everyone I’ve met,” adding that there is “an excellent level of service here.” He told the board he would help find a qualified replacement for Mr. Bruckner and planned to “make things better than I found them.”

**RESOLUTION REGARDING POST TRAUMATIC STRESS DISORDER (PTSD)**

**AWARENESS DAY:** Commissioner Shields recognized Rick Norton, who requested that the board approve a resolution designating October 27, 2018 as Macon County Post Traumatic Stress Disorder (PTSD) Awareness Day. Mr. Norton said that some 20 veterans per day commit suicide in the United States. He went on to outline how he had been contacted by a veterans group in Buncombe County about the “Brothers Like These” project, which is a staged reading of writings by Vietnam veterans. Mr. Norton said these readings have helped some veterans to “open the box in their minds and get those bad feelings out.” One of these readings is scheduled for the Franklin Fine Arts Center on October 27<sup>th</sup>, he said. He asked the board to approve the resolution as presented, which the County Manager read into the record. Upon a motion by Commissioner Shields, seconded by Commissioner Beale, the board voted unanimously to approve “A Resolution of the Macon County Board of Commissioners – Post-Traumatic Stress Disorder (PTSD) Awareness Day,” a copy of which is attached **(Attachment 4)** and is hereby made a part of these minutes.

**HEARTS FOR FAMILIES LEADERSHIP SEMINAR:** Cindy Cavender with the Franklin Chamber of Commerce reminded the board that she had appeared before them two months earlier seeking the county’s sponsorship of a Hearts for Families leadership seminar. The County Attorney pointed out that he had searched “high and low” for a statute that would allow the county to co-sponsor the event, but could not find one. Instead of a sponsorship, Ms. Cavender suggested that county department heads and others could be invited to attend. The County Manger said that department heads had been notified of the opportunity and if they see it as valuable, they can use training funds to participate. Bruce Ferguson with Hearts for Families gave the board an overview of the seminar featuring Dr. Fred Toke, which will be held on November 9<sup>th</sup> and again on November 16<sup>th</sup> in Franklin. No action was taken.

**ALEX MOUNTAIN COMMUNICATIONS SITE LEASE:** Emergency Services Director Warren Cabe told the board he was seeking their approval of a lease agreement for an emergency communications site co-located with Georgia

Power at its Alex Mountain site in Sky Valley, Georgia. He explained the benefits of the agreement, as this site will transmit in a northerly direction and will provide better communications for the fire departments in Scaly Mountain (which serves as Sky Valley's volunteer fire department), Highlands and Otto. He said if the board approves the agreement tonight, it will be contingent upon Georgia Power's concurrence. The County Attorney said the lease agreement was "in very good shape when I got it," explaining that language needed to be added about public records along with a pre-audit certificate for the Finance Director to approve. He said he anticipated any other changes by Georgia Power to be minor, noting that for the term of the lease the cost to the county was \$1. He recommended that the board approve the document, subject to changes by the power company, and authorize either Chairman Tate or the County Manager to execute it, describing the agreement as "almost a gift." Upon a motion by Commissioner Higdon, seconded by Commissioner Gillespie, the board voted unanimously to approve the lease agreement with the conditions noted by the County Attorney. A draft copy of the agreement is attached (Attachment 5) and is hereby made a part of these minutes.

**BID FOR SHERIFF'S DEPARTMENT VEHICLES:** The Finance Director gave an overview of the bid process for three new patrol vehicles for the Sheriff's Department. She said the invitation to bid for the SUV-type vehicles was advertised and also sent directly to five dealers. There were three responses, and the low bid was submitted by Ilderton Dodge Chrysler Jeep Ram for three Dodge Durangos at \$29,620 each for a total of \$88,860. A copy of the bid tab is attached (Attachment 5) and is hereby made a part of these minutes. The Finance Director said the low bid came from a dealer in High Point, NC. This led to questions from the board about the lack of bids from the local dealerships and a lengthy discussion followed. Commissioner Gillespie voiced his concern that the county is "getting year old vehicles left on the lot." The County Attorney said the bid process was followed correctly and that the only legal requirement is notice in the newspaper. Commissioner Gillespie said he was not implying that the county didn't follow the correct process. The County Attorney said that the state statute does not allow for a "local preference." The Finance Director said that she would ensure that all of the Franklin dealerships would be on the bid invitation list. The County Attorney said the board must have a strong reason to reject the bids, and it cannot be to prefer a local vendor. Commissioner Shields and Commissioner Gillespie considered bidding for 2019 models versus the 2018 ones in the current bid, and there was discussion about rejecting the current bid and re-advertising. Commissioner Higdon said the county should notify the three local dealerships out of courtesy. Then the discussion turned to the difference in law enforcement equipment issues if the county chose to seek 2019 models. Commissioner Shields made a motion to award the bid as presented, and Commissioner Higdon seconded the motion. During further discussion,

Commissioner Gillespie said he would vote against the motion “because we’re awarding a bid based on price for vehicles left over on their yard.” The board voted 4-1 to award the bid, with Commissioner Gillespie opposing.

**SPACE NEEDS ANALYSIS:** The County Manager outlined the Request For Qualifications (RFQ) process for the space needs analysis, which he said works in concert with the county’s Capital Improvement Program (CIP). A total of six firms responded to the RFQ, he said, adding that he, the Finance Director and Planning, Permitting and Development Director Jack Morgan reviewed each of the firms based on 13 criteria and gave each an overall score. The County Manager said the difference between the top two firms on the scoresheet was two points, so representatives from each were interviewed by the panel. He said the recommendation to the board was to select Moseley Architects to do the analysis and to authorize him to enter into contract negotiations with the firm. Commissioner Beale asked why Moseley was seen as the superior choice, and the County Manager said it was due to the planning component of their work that set them apart. Commissioner Higdon made a motion to authorize the County Manager to pursue a proposed contract with Moseley Architects for the space needs analysis. The County Manager reported that the initial timeline for the project could be an issue, as Moseley representatives are looking at six to eight months to complete the analysis versus the four months the county was considering. The County Manager told the board that the document would be available before the completion of next year’s budget. Commissioner Shields seconded the motion, and it was unanimously approved.

**SATISFACTION OF SECURITY INSTRUMENT:** Following an explanation by the County Attorney, and upon a motion by Commissioner Higdon, seconded by Commissioner Gillespie, the board voted unanimously to approve a Satisfaction of Security Instrument for Kathryn W. Hurst stemming from a housing rehabilitation project. A copy of the instrument is attached (Attachment 6) and is hereby made a part of these minutes.

**CONSENT AGENDA:** Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve the items on the consent agenda as follows: the minutes of the July 10, 2018 regular meeting, the August 14, 2018 regular meeting and the August 28, 2018 special meeting; the following budget amendments: #58 for the Health Department to allocate \$35,000 in new grant money from the Community Foundation of WNC; #59 for the Department of Social Services to allocate \$1,326 in additional SHIPP funds; #60 for Solid Waste to move \$47,079 from fund balance for a forklift that was ordered but could not be delivered by June 30, 2018; #61 for Solid Waste to move \$1,073 from an insurance settlement into the appropriate line item; #62 for Maintenance to allocate \$366 from an insurance settlement for the Hudson Library; #63 for the Sheriff’s Department to allocate \$8,944

from an insurance settlement for a patrol car; #64 for Social Services to appropriate a \$9,900 donation from BCBS for home delivered meals; #65 for the Housing Department to adjust the LIHEAP and HARRP budgets due to a decrease in funding from the original amount of \$113,572 to \$81,452; #66 for Transit to allocate additional revenue of \$11,087 from state ROAP funds (Copies of the amendments are attached); tax releases for the month of September in the amount of \$1,429.25; monthly ad valorem tax collections report (no action necessary).

**APPOINTMENTS: (1) Library Board:** Karen Wallace with Macon County Library reported that Dennis Sanders has resigned from the Macon County Library Board of Trustees. Bill Dyar has expressed interest in Mr. Sanders' seat on the board and submitted an application for the board's consideration. Upon a motion by Commissioner Higdon, seconded by Commissioner Beale, the board voted unanimously to appoint Mr. Dyar to fill the unexpired term held by Mr. Sanders, which ends March 14, 2019.

**ADJOURN:** With no other business, at 7:59 p.m., upon a motion by Commissioner Higdon, seconded by Commissioner Beale, the board voted unanimously to adjourn.

---

Derek Roland  
Ex Officio Clerk to the Board

---

Jim Tate  
Board Chairman