

**MACON COUNTY BOARD OF COMMISSIONERS  
NOVEMBER 9, 2021  
MINUTES**

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

**ANNOUNCEMENTS:** Mr. Roland shared that by implementing the new pay plan and premium pay policy, the county's public safety departments have seen an increase in applications for vacant positions. He stated there were approximately 47 vacancies at the time of implementation and requested that Emergency Services Director Warren Cabe and Sheriff Robbie Holland give an update for their departments and what they have seen in the past month. Mr. Cabe stated there have not been any resignations since the implementation of the new pay plan and premium pay policy, and that he had received 11 applications for EMTs with interviews complete for seven of the applicants. He said the department's interview process is lengthy and requires a practical exam, written exam and oral interview. Mr. Cabe indicated that he expects to be able to hire two or three full-time employees out of the seven. He shared he has received six applications for telecommunicators and that selection process also includes a practical exam and oral interview. Mr. Cabe said there is movement in applications and progress being made in getting positions filled, and that the federal ambulance crew that has been assisting will be here until the end of November which will allow time to get the new hires oriented, trained and working. Sheriff Holland stated his department had not had any applications in quite some time but since the implementation of the pay study a number of applications have been received. He shared he currently has 17 applications and that for the first time in over two years the patrol unit is completely staffed even though some of them are still having to complete field training. Sheriff Holland indicated that the applicants have to go through a background check and completion of a polygraph test so not every applicant is successful but he is hopeful he will be able to fill some of the vacancies. Both Mr. Cabe and Sheriff Holland thanked the board for adopting the new pay scale.

Commissioner Shields announced that the Veterans Day program will occur this Thursday, November 11<sup>th</sup>, with the parade starting at 10:30 a.m. in downtown Franklin. He welcomed all to attend.

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

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

**PUBLIC HEARINGS:**

- (A) **PUBLIC HEARING REGARDING THE AMENDED AND RESTATED MACON COUNTY SOIL EROSION AND SEDIMENTATION CONTROL ORDINANCE:** At 6:07 p.m. Chairman Tate called the public hearing to order. Mr. Roland stated there were no substantive changes made to the ordinance to meet the requirements of North Carolina General Statute (NCGS) 160-D.
- (B) **PUBLIC HEARING REGARDING THE AMENDED AND RESTATED FARMLAND PRESERVATION ORDINANCE:** Mr. Roland stated there were no substantive changes made to the ordinance to meet the requirements of NCGS 160-D.
- (C) **PUBLIC HEARING REGARDING THE AMENDED AND RESTATED WATER SUPPLY WATERSHED PROTECTION ORDINANCE:** Mr. Roland stated there was one substantive change to the ordinance which is to change the appeal board from the Watershed Review Board to the Macon County Planning Board, which is merely a housekeeping item.

With no one from the public wishing to speak on any of the ordinances, at 6:09 p.m. Chairman Tate closed the hearings. Commissioner Young made a motion, seconded by Commissioner Higdon, to approve (1) “An Ordinance of the Macon County Board of Commissions for An *Amended and Restated* Macon County Soil Erosion and Sedimentation Control Ordinance,” (2) “An Ordinance of the Macon County Board of Commissioners for An *Amended and Restated* Farmland Preservation Ordinance,” and (3) “An Ordinance of the Macon County Board of Commissioners for An *Amended and Restated* Macon County Water Supply Watershed Protection Ordinance.” The vote was unanimous, and copies of the ordinances are attached **[Attachments 1, 2 and 3, respectively]**.

**PUBLIC COMMENT PERIOD:** **Ed Trask** spoke about the Nantahala Library Committee, and informed the board of the members that had been selected. He stated the members are: Ed Trask (Nantahala Library), Karen Wallace (Nantahala Library), Sharon Crosby (Nantahala Community Club), Heavenly Lehman (Nantahala Community Club), Randy Shook (At-large), and Don Libby (At-large). Mr. Trask requested guidance on how the committee is to function. Mr. Roland indicated he would contact Ms. Wallace and schedule a meeting to

discuss the scope of work and would report back at the December meeting. **Susan Carpenter** spoke about the Nantahala Public Library and requested the library remain on the campus at Nantahala School. She stated, "School and library are one-in-the-same and in our remote location, it is ever more important for them to remain together." **Jennifer Barrett-Tatum** spoke about animal protection and questioned proposed content changes to the Animal Control Ordinance. Mr. Roland shared that the health board has been working through the changes and has not provided any information to this board, therefore, this board is not in any position to speak to the changes or questions at this time. **Robin Resch** gave an account of her personal experience in adopting a dog and the positive impact it has had on her family, especially her special needs child. She requested improvements be made with the operation of Animal Control, the ordinance and the protection of animals and suggested reaching out to the community for help. **Carean Kaso-Andrews**, an Appalachian Animal Rescue Center board member, spoke about the relationship between her agency and Animal Control stating they have a close relationship and when her agency has room, takes in animals from Animal Control. She shared her belief is the overcrowding of dogs in the shelter is a people problem but feels they could be treated better while they are there. She indicated the conditions are awful in the shelter and the director has no idea of the dogs in his care or what is going on. Ms. Kaso-Andrews further stated that she wanted to support the position of previous speakers in regard to changes with the Animal Control Ordinance and the allowance of and protection for anonymous complaints. **Karen Wallace** gave a summarized report of activities that have been coordinated, hosted and provided by the staff and volunteers of the Macon County Public Library, the Hudson Library and the Nantahala Community Library over the past year. She shared that library employees are not employees of the county but they still deliver valuable service to the people of Macon County and mentioned several events, activities and changes in operation to accommodate the community during the pandemic. **Traci Dogan** spoke about the Animal Control Ordinance indicating she was at the last board of health meeting and was told they were submitting the ordinance to the commissioners for review. She said she did not see the item listed on the website agenda for tonight's meeting, but did not want to miss her window of opportunity to speak in opposition of the changes. Ms. **Dogan** shared she had prepared a document explaining her opposition and ideas about how to correct some issues that had been mentioned earlier tonight. A copy was provided to members.

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

- To remove Item 11A, “Proposed creation of Macon County Citizens Advisory Committee regarding Franklin High School project,” due to a Facilities Review Committee meeting tomorrow which will involve the architect from LS3P.
- To add Item 11D, “Schedule Public Hearing on the Amended and Restated Flood Ordinance and the Amended and Restated High Impact Land Use Ordinance” to bring them into compliance with 160D, per Mr. Roland.
- To add Item 11E, “Schedule Public Hearing on Proposed Subleases for Space on Communications Tower on Cowee Bald for Sutton Broadcasting and Blue Ridge Broadcasting Cooperation,” per Mr. Decker.
- To add Item 14, “Closed Session,” in order to to preserve the attorney-client privilege, with Mr. Ridenour to be joining by telephone.

**Update on Vaya Health Regional Advisory Board** – Shelly Foreman, Community Relations Regional Director for Vaya Health, presented a PowerPoint presentation regarding the upcoming restructure of the Vaya Health Board due to consolidation of nine of the Cardinal Innovations counties into Vaya’s management as of January 1, 2022. A copy of that presentation is attached. [Attachment 4]. She indicated this would then make Vaya a 31-county managed care organization. Ms. Foreman stated the revised structure will be comprised of four advisory board regions with Macon County and the other six far-western counties making up Region 1, with two members from each county. She shared that each Regional Advisory Board will then appoint two members to the Vaya Health Board. Ms. Foreman thanked Commissioner Beale and Patrick Betancourt, Department of Social Services Director, for their current service to the Vaya Board and being supportive partners in the region.

**Report from 4-H** – Tammara Cole Talley, the North Carolina Cooperative Extension 4-H and Youth Development Agent for Macon County, was accompanied by several youth from the 4-H program. The youth introduced themselves and shared what 4-H means to them and their accomplishments in the program this year, including the receipt of regional and state awards. Commissioner Young thanked the youth for coming and shared some memories about his experience as a youth in 4-H. Commissioner Beale thanked Ms. Talley and the volunteers for their efforts in keeping the 4-H program alive and well.

**Final Approval of Temporary Assistance to Needy Families (TANF) Electing County Plan for Macon County Department of Social Services (DSS)** – Patrick Betancourt, DSS Director, reminded the board members of their approval for Macon County to continue as an electing county for federal fiscal year planning

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2023-2026 at last month's meeting. He shared the Macon County plan was updated and a meeting with the Welfare Review Committee appointed at last month's meeting was held on October 26<sup>th</sup>. Mr. Betancourt shared that the committee reviewed the updated plan and provided feedback. He stated there was also a public comment period that ran from October 15<sup>th</sup> – October 21<sup>st</sup>. A motion was made by Commissioner Beale, seconded by Commissioner Shields, to approve Macon County's TANF Electing County Plan for federal fiscal years 2023-2026. The vote was unanimous.

**Consideration of Change Order #012 on Macon Middle School Renovation project** – Planning, Permitting and Development Director Jack Morgan explained the details of the change order involving exterior doors to the music room, waterproofing an exterior wall, providing additional master keys, mezzanine ceiling layout, repair of some blocks securing windows in the northeast wing, and resolution of conflicts between the renovation plan and demolition plan. Upon a motion by Commissioner Young, seconded by Commissioner Shields, the board voted unanimously to approve the change order as presented, as well as a budget amendment in the amount of \$12,024 from the project contingency fund, leaving a balance of \$461,520. A copy of the change order is attached [Attachment 5].

**Consideration of Resolution Concerning Compensation for Incoming Sheriff and Register of Deeds** – Mr. Roland stated that with the approval of the new pay plan, a resolution would need to be passed concerning salaries for the elected offices of Sheriff and Register of Deeds. He said passing this resolution will allow the incoming Sheriff and Register of Deeds to be placed at the appropriate grade in the new pay plan. Mr. Roland stated that without the resolution, the newly elected Sheriff or Register of Deeds would come in at the same salary as the outgoing official. He indicated the resolution will place the non-incumbent Sheriff at the newly revised pay grade 40 with a starting salary of \$71,874. Mr. Roland stated that should the winner of that election be a current county employee, they would be given credit for their time served by applying the formula that was utilized during the pay study. He said the same process would apply to the Register of Deeds with a new non-incumbent candidate placed at a grade 32 with a starting salary of \$48,647. Mr. Roland shared that the resolution had been drafted by the county attorney and he recommends adoption. Upon a motion by Commissioner Shields, seconded by Commissioner Beale, the board voted unanimously to adopt the resolution as presented, and a copy is attached. [Attachment 6].

**Consideration of Approval of Revised Form “3-1” for Southwestern Community College (SCC) Fire Rescue Training Center** – Mr. Roland recognized Dr. Don Thomas, William Brothers and Curtis Dowdle, representatives from Southwestern Community College, as he reminded the

board of discussions regarding this facility since 2018. Mr. Roland stated that a modular facility has been located to place adjacent to the fire rescue training center's new location at the former National Guard Armory. He indicated the original appropriation of approximately \$1.3 million for a new facility at the proposed Siler Road location will be reduced to \$700,000 for the modular facility to be placed at the new location, and an additional \$69,992 in operating costs is included in the "3-1" making the total appropriation \$769,692 from fund balance. After some discussion, a motion was made by Commissioner Shields, seconded by Commissioner Young, to approve the appropriation as presented and the vote was unanimous.

**Scheduling of public hearings for the December 14, 2021 regular meeting:**

- (1) Amendments to the Flood Ordinance and the High-Impact Land Use Ordinance
- (2) Proposed subleases for the communications tower on Cowee Bald

A motion was made by Commissioner Beale, seconded by Commissioner Shields, to schedule the hearings as presented, and the vote was unanimous.

**CONSENT AGENDA:** Upon a motion by Commissioner Young, seconded by Commissioner Shields, the board voted unanimously to approve the consent agenda as presented, which includes: (A) Minutes of the October 12, 2021 regular meeting, (B) Budget Amendments #92-93, (C) Tax releases for the month of October, (D) the monthly ad valorem tax collection report (for which no action is necessary).

**APPOINTMENTS:**

- (A) Recreation Commission (tentative) – no action taken
- (B) Vaya Health Regional Advisory Board (2 seats) – A motion was made by Commissioner Young, seconded by Commissioner Shields, to appoint Commissioner Beale and DSS Director Patrick Betancourt. Both of these individuals are currently serving as representatives on the Vaya Board. The vote was unanimous.

**CLOSED SESSION** – At 7:36 p.m., upon a motion by Commissioner Young, seconded by Commissioner Shields, the board voted unanimously to go into closed session as allowed under NCGS 143-318.11(a)(3) for attorney-client privilege with a plan to take no action following the closed session. At 8:05 p.m. upon a motion by Commissioner Higdon, seconded by Commissioner Beale, the board voted unanimously to come out of closed session and return to open session. No action was taken.

**ADJOURN:** With no other business, at 8:05 p.m., upon a motion from Commissioner Higdon, 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