

Macon County



MACON COUNTY BOARD OF COMMISSIONERS NOVEMBER 13, 2018 AGENDA

1. Call to order and welcome by Chairman Tate
2. Announcements
3. Moment of Silence
4. Pledge of Allegiance
5. Public Hearing(s) – **6:00 p.m.** Continuation of hearing from October 9, 2018 to consider a request to change the name of Paul Walden Road to Bear Cub Trail
6. Public Comment Period
7. Additions to agenda
8. Adjustments to and approval of the agenda
9. Reports/Presentations
10. Old Business
 - A. Update on space needs analysis – County Manager
11. New Business
 - A. Memorandum of Understanding for Macon Soil and Water Conservation District – District Director Mike Breedlove
 - B. Resolution and lease agreement with TECO SSL, Inc. – Economic Development Director Tommy Jenkins/County Attorney
 - C. Macon County Transit – Director Kim Angel
 - (1) Updated System Safety Plan
 - (2) Proposed advertising on vehicles
 - D. Tax refund request by Edward Hasler – Tax Administrator Richard Lightner

- E. Release of land disturbing surety bond for Indigo Homestead apartment complex- Planning, Permitting and Development Director Jack Morgan
- F. NCACC 2019 Legislative Goals Conference voting delegate designation
- G. Discussion regarding floor at Jerry Sutton Public Safety Training Center – Commissioners Shields and Gillespie

12. Consent Agenda – Attachment #12

All items below are considered routine and will be enacted by one motion. No separate discussion will be held except on request of a member of the Board of Commissioners.

- A. Minutes of the September 11, 2018 regular meeting, the September 25, 2018 continued session and the October 9, 2018 regular meeting
- B. Budget Amendments #74-83
- C. Tax Releases for October in the amount of \$2,086.12
- D. 2019 County Holiday Schedule
- E. Monthly ad valorem tax collection report

13. Appointments

- A. Highlands Tourism Development Commission (1 seat)

14. Closed session (if necessary)

15. Recess until Monday, December 3, 2018 at 6 p.m. in the commission boardroom on the third floor of the Macon County Courthouse, 5 West Main Street, Franklin, NC. The purposes of the meeting will be to administer the oaths of office to the re-elected commissioners, for the board to elect a chairman and vice-chairman, 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.

NOTE: Service awards will be presented to county employees prior to the board's regular meeting on Tuesday, December 11, 2018. The presentation of the awards will begin at 5 p.m., followed by a brief reception, with the meeting to begin at its regular time of 6 p.m.

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

MEETING DATE: November 13, 2018

DEPARTMENT/AGENCY: 911 Addressing

SUBJECT MATTER: Continuation of public hearing

COMMENTS/RECOMMENDATION:

The board agreed to continue the October 9, 2018 public hearing on road name changes/ranges to this meeting for the sole purpose of hearing any additional public comment on the proposed name change of Paul Walden Road to Bear Cub Trail. Please see the attached e-mail from 911 Addressing Coordinator Angie Kinsland for more information. Also attached is the letter that she mailed to all of the affected property owners following the October 9 hearing, along with additional information she has received since then.

Attachments multiple Yes _____ No

Agenda Item 5

Mike Decker

From: Angie Kinsland <akinsland@maconncc.org>
Sent: Thursday, November 08, 2018 9:54 AM
To: mdecker@maconncc.org
Subject: Emailing: Information received since last hearing.pdf
Attachments: Information received since last hearing.pdf

Mike,

Attached, you will find the letter that I sent to all property owners following the initial road hearing and copies of the letters that I have received since that time, one of which has documentation disputing some of the things that were said by Karen Reese as far as Paul Walden owning all the property in there. He actually only owned a house and one lot, but anyway, I thought it would be easier for the commissioners to have time to read them prior to the hearing...What are your thoughts on that?

Thanks,
Angie

Your message is ready to be sent with the following file or link attachments:

Information received since last hearing.pdf

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Macon County 911 Addressing

104 E Main St
Franklin, NC 28734

911 Addressing Coordinator
828-349-2547

October 10, 2018

*Copy of letter
mailed to
all property owners*

Dear Macon County Property Owners,

The road hearing that was held last night on the road name change request for Paul Walden Road has been continued to Tuesday, November 13, 2018. We have a list of the votes that have been submitted thus far and those votes are still valid, however if you would like to speak for or against the road name change, please plan to attend this hearing that will begin at 6pm in the Commissioners Board Room located on the third floor of the Macon County Courthouse located at 5 W Main Street in Franklin.

If you have any questions concerning this notification, please feel free to call me at the number listed above.

Respectfully,


Angela R. Kinsland

Commissioners,

Thank you for so carefully considering the road change proposal in Highlands. To review the votes submitted, the results were as follows: nine votes in favor of the name change to Bear Cub Trail and two opposed. Seven of those in favor are homeowners and two are lot owners. Of the seven homeowners approving the change, two are year round residents, and there is one year around resident opposed to the change. Three of the homeowners in favor to the have owned homes on Paul Walden since the early 80s before the road had been named. I have owned my home since 2003.

The one year round resident opposed to the change has said that she thinks that the name change would "destroy" history and that Paul Walden owned 20 acres in the Big Bear Pen neighborhood. We have no intent to destroy history and do not understand her thinking but would just like to see a simpler name that would be more in keeping with Big Bear Pen Mountain on which Paul Walden Road is located. I wanted to verify Mr. Walden's ownership of 20 acres so I called Mr. Todd Raby in Deeds to verify Mr. Walden's land ownership. After researching Mr. Walden, he could find no record of the ownership of 20 acres but he did find the purchase of one lot and home (lot 90) on what is now Paul Walden Road (see attached docs). I then went to the Deeds office and Mr Raby and I looked through the old deed books trying to find any other records for Paul Walden in Highlands but found none. In addition, I just called the lady who knew Paul Walden and had hired him to play Santa for her two children at Christmas and she did not think Mr. Walden owned 20 acres in Highlands. Finally, knowing that Mr. Walden died in 1976 and his wife in the early 80s, we wanted to make sure there were no relatives in Highlands who might be offended by the name change. Mrs. Royal (who spoke at your last meeting) and I called older residents and they did not think there were any Walden relatives in Highlands nor could we find any Waldens in old phone books (I have a 2003 phone book).

As you can see we have tried to do due diligence and research the objections to the proposed change. We hope you will agree with the majority of home and lot owners and pass the change that honors the mama bear who appears on our street with each new set of cubs and is in keeping with Big Bear Pen Mountain. Thank you for your consideration and all your diligent work as commissioners.

Sincerely yours,

Diana Pinner
57 Paul Walden Road

Gay Lyons Haley, Ph.D.

The Brookwood Exchange Building,
Suite 205
1708 Peachtree Street, N.W.
Atlanta, Ga. 30309

phone: (404) 874-5291 fax: (404) 881-6726
cell phone: 404-314-6388 *preferred

Psychologist: Child/Adolescent,
Family, and Assessment Practice
Georgia License Number 903

Emails: gayhaley@aol.com
gaylyonshaley@gmail.com

Angela R. Kinsland
Macon County 911 Addressing
Phone: 828-349-2547
Email: akinsland@maconnc.org

Re: Paul Walden Rd. proposed name change

Dear Angela,

I have a home at 30 Paul Walden Rd. and I support the name change to Bear Cub Trail. I appreciate all the work of Diana Pinner and Louise Royal who got input from all property owners. We discussed a number of names that would capture our part of Bear Pen Mtn. and add to our sense of place. I believe that Mrs. Pinner told you about the bear family migrations through our area, with mama bears and their cubs trailing through for years, as though the trail is genetically imprinted.

Why does my opinion matter? My father built a cabin at 30 Paul Walden Rd. in the early 1980's that has continued in the Lyons family to this day: over 35 years. When he built, there were only 3 other houses in the entire section that now has 11-12 homes (including the 3 homes on the part of Paul Walden Rd. that was changed to Laughing Bear Lane recently). One house was owned by Sarah, who I believe was the widow of Paul Walden. The other two homes were bought by relatives of my parents.

My grandparents on both sides of the family had homes in Highlands in the 1940's - 60's. Both of my parents came to Highlands as children and teenagers. I have seen old film of my grandparents ice skating on Mirror Lake, and I remember the trunks of ice skates that could be rented on Main St. from my childhood. My Lyons grandparents lived in a frame home across from the ball park. My Hammett grandparents lived in the last house up Little Yellow Mtn before the Rainwater estate on top. My siblings and many cousins have a long history of spending summers in Highlands- almost 70 years for me. Over time, the larger homes were harder to share as families grew and were sold. However, many of these extended families continued to come to Highlands after those properties were sold in the 1960's.

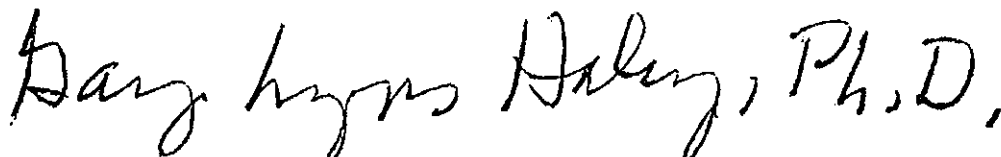
Soon after my father built his cabin, relatives from the Lyons (my dad's side) and the Hammett (my mother's side) families visited and wanted to buy near my parents. Lou and Louise Royal bought one- that's the Lyons side. Lidge and Marty Andreas bought the other- that's the Hammett side. Neither house was for sale, but we suddenly had an extended family area to gather and stay connected. My dad's cabin is owned by myself and two siblings. The Andreas cabin is now owned by my first cousin Jonny Andreas. As you know, the Royals are longer-lived and still in theirs.

The above detail is provided to show that the Lyons family, including our Andreas and Royal cousins, have enjoyed these 3 cabins for over 35 years. We pay taxes for the entire year and keep up our properties, not just for the season. I mention this, as I understand that we were referred to by one neighbor as the seasonal residents, as though we do not have long-term status and a vested interest of the future of that area of Big Bear Pen Mtn.

I am all for seasonal and year-round residents having a say in the street name, so I am fine with whatever your board decides. However, I do not want our opinion dismissed as "seasonal" residents. Our three families have the most seniority (more than 35 years) and plan to continue to spend time at our mountain homes. We use our homes. We don't rent them or rent them out. Year round and other seasonal residents came to the area more recently, with the Panners in the early 1990's but all the rest, including the Habitat Houses, later.

I and my sister, Andi Lyons Cannell, and my sister-in-law, Miriam Lyons, are in agreement to change the street name to Bear Cub Trail.

Respectfully,

A handwritten signature in black ink that reads "Gay Lyons Haley, Ph.D." The signature is written in a cursive, flowing style.

Gay Lyons Haley

Disputation of the facts Karen Reese presented of Paul Walden owning all the land in that area

NORTH CAROLINA—MACON COUNTY. THIS DEED, Made this 28th day of March A. D., 1957 by GLENN A. SHULER and wife, RUTH MORGAN SHULER

of Macon County and State of North Carolina COME of the first part, to PAUL C. WALDEN and wife, SARAH E. WALDEN

of Macon County and State of North Carolina PARTIES of the second part: WITNESSETH, That said parties of the first part in consideration of Ten Dollars (\$10.00) and other valuable consideration, the receipt of which is hereby acknowledged have bargained and sold, and by those presents do bargain, sell and convey unto said parties of the second part and their heirs and assigns, a certain tract or parcel of land in Highlands Township, Macon County, State of North Carolina, adjoining the lands of

and being more particularly described as follows: Lot Number Ninety (90) of Bearpen Mountain Home Development Company, Sub-division No. 1, Highlands, North Carolina, as shown on the plat or map of said Sub-division, duly recorded in the office of the Register of Deeds for Macon County, North Carolina, in Book of Plats and Maps No. 1, at page 33.

In addition to the lands and premises above described, the said parties of the second part, their heirs and assigns are to have and enjoy in common with all other adjoining purchasers and owners, free access to and unmolested enjoyment of Rhododendron Park, as shown on the said plat or map above referred to.

TO HAVE AND TO HOLD the aforesaid tract or parcel of land and all privileges and appurtenances thereunto belonging, or in any wise thereto appertaining, unto the said party, parties of the second part and their heirs and assigns, to their only use and behoof, in fee simple, forever. And the said party, parties of the first part covenant with said party, parties of the second part heirs and assigns, that they are seized of said premises in fee, and have the right to convey the same in fee simple; that the same are free and clear from all liens and encumbrances, and that they will warrant and defend the said title to same against the lawful claims of all persons whomsoever.

IN TESTIMONY WHEREOF, the said parties of the first part have hereunto set their hands and seals, the day and year first above written. ATTEST: s/ Glenn A. Shuler (SEAL) s/ Ruth Morgan Shuler (SEAL)

STATE OF NORTH CAROLINA—MACON COUNTY. I, Caroline D. Hall, a Notary Public, of the aforesaid County and State, hereby certify that GLENN A. SHULER and RUTH MORGAN SHULER his wife, appeared before me this day, and acknowledged the due execution of the annexed Deed of Conveyance. Let the same, with this certificate be registered. Witness my hand and Notarial seal, this 1st day of April, 1957. My Commission Expires MAR. 3, 1959. Her/His Notarial Seal s/ Caroline D. Hall Macon County, N. C. Notary Public.

STATE OF NORTH CAROLINA—MACON COUNTY. The execution of the foregoing instrument was this day proven before me by the subscribing witness thereto. Let the same with certificate, be registered. Witness my hand and seal, this day of 19. My Commission Expires Her/His Notarial Seal

STATE OF NORTH CAROLINA—MACON COUNTY. The foregoing certificate of Caroline D. Hall, N. P., of Macon County, State of North Carolina, attested by her seal, is adjudged to be correct. Let the instrument, with this certificate, be registered. Witness my hand and official seal, this 9 day of April, 1957.

Filed for registration on the 9 day of April, 1957 at 10:30 o'clock A. M., and registered and verified in the office of the Register of Deeds for Macon County, State of North Carolina, in Deed Book No. 6, Page 31. Clerk of Superior Court. Register of Deeds of Macon County, State of North Carolina.

PARCEL 7540729714 ADDRESS 56 PAUL WALDEN RD OWNER WOOLF, JASON RYAN

	Section		MAIN AREA
<u>Year Built</u>	1945	Number Baths	1 00
Effective Year Built	1995	Number Half Baths	0 00
Style	CONVENTIONAL	Ext. Wall	FRAME
Design		Flooring	
Condition	AVERAGE	Attic Area	
Grade	B	% of Attic Conn.	0 00
Foundation		Basement Area	0 00
Roofing		% of Basement Conn.	
Number Stories	1.00	Heating	HRAT PUMP
Number Rooms	5	% of Air Conditioning	100 00
Number Bedrooms	2.00	Depr. Value	184,250



BK 50, pg 327

STATE OF NORTH CAROLINA—MACON COUNTY

THIS INDENTURE, Made and executed this the 28th day of March 19 57, by and between PAUL C. WALDEN and wife, SARAH E. WALDEN

of Macon County, State of North Carolina, hereinafter designated as party of the first part whether one or more, Gilmer A. Jones trustee of Macon County, State of North Carolina, party of the second part, and GLENN A. SHULER

Macon County, State of North Carolina, hereinafter designated as party of the third part whether one or more: WITNESSETH, That whereas the said party of the first part, is justly indebted to the said party of the third part, in the sum of SEVEN THOUSAND AND NO/100 Dollars (\$7,000.00), with interest thereon from date, payable semi-annually at the rate of five per cent per annum as evidenced by 14 notes of even date herewith, said indebtedness being due and payable as follows.

Fourteen (14) annual installments of \$500.00 each, the first installment to be due one year after date.

and whereas said party of the first part desires to secure the payment of said bond/bonds at maturity, according to its/their tenor, with all interest due thereon:

NOW THEREFORE, for and in consideration of the premises and for the purpose aforesaid, and for further consideration of Ten Dollars to said party of the first part by said trustee, the receipt whereof is hereby expressly acknowledged, the said party of the first part, has granted, bargained, sold, released and conveyed, and by these presents does grant, bargain, sell, release and convey unto the said trustee, party of the second part, his heirs, successors and assigns the following described tract or parcel of land, situate in Highlands Macon County, State of North Carolina, and described as follows:

Lot Number Ninety (90) of Bearpen Mountain Home Development Company, Sub-division No. 1, Highlands, North Carolina, as shown on the plat or map of said Sub-division, duly recorded in the office of the Register of Deeds for Macon County, North Carolina, in Book of Plats and Maps No. 1, at page 33.

In addition to the lands and premises above described, the said parties of the second part, their heirs and assigns are to have and enjoy, in common with all other adjoining purchasers and owners, free access to and unmolested enjoyment of Rhododendron Park, as shown on the said plat or map above referred to.

~

RECEIVED PAYMENT AND SATISFACTION IN FULL ON THE WITHIN INTEREST
 TOGETHER WITH THE NORES SECURED, THEREBY, I HEREBY, I HEREBY, I HEREBY,
 DAY OF 19
 Registrar of deeds

TO HAVE AND TO HOLD the said land and property to the said trustee, party of the second part, his heirs, successors and assigns, forever in fee. And said party of the first part, for his, her, their heirs, executors and administrators, does hereby covenant to and with the said trustee, party of the second part, and his heirs, successors and assigns, that the said party of the first part is seized in fee simple of said premises and has right to convey the same, and that the same are free from encumbrance and that he, she, they will forever warrant and defend the title to the same against the lawful claims and demands of all persons whomsoever.

And the said party of the first part further covenants and agrees to and with said parties of the second and third parts that he, she, they will keep the premises above conveyed insured in some responsible insurance company, acceptable to said trustee, in the sum of

.....dollars, and that he, she, they will keep all taxes paid upon said property, and if said party for the first part shall fail to do this, said party of the second part or said party of the third part may effect such insurance and pay such tax, and all premiums so paid for insurance and amounts so extended in payment of taxes by said parties of the second or third part, with interest from date of payment at

..... per cent. shall be secured under this conveyance and be the said parties at the time of the

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

MEETING DATE: November 13, 2018

DEPARTMENT/AGENCY: Administration

SUBJECT MATTER: Space Needs Analysis

COMMENTS/RECOMMENDATION:

The County Manager will provide an update on the contractual negotiations with Moseley Architects for the space needs analysis at the meeting.

Attachments _____ Yes No

Agenda Item 10A

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

MEETING DATE: November 13, 2018

DEPARTMENT/AGENCY: Soil and Water Conservation

SUBJECT MATTER: Memorandum of Understanding

COMMENTS/RECOMMENDATION:

Please see the attached multi-district Memorandum of Understanding (MOU) for more details, and District Director Mike Breedlove will be at the meeting to answer any questions. The term of the MOU is five years.

Attachments 1 Yes No

Agenda Item 11A

MEMORANDUM OF UNDERSTANDING

Between the
**UNITED STATES DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE**
And the
**NORTH CAROLINA DEPARTMENT OF AGRICULTURE AND
CONSUMER SERVICES – DIVISION OF SOIL AND WATER
CONSERVATION**
And the
MACON SOIL AND WATER CONSERVATION DISTRICT
And
MACON COUNTY, NORTH CAROLINA

For their Cooperation In the
Conservation of Natural Resources

BACKGROUND STATEMENT AND PURPOSE

THIS AGREEMENT is between the Natural Resources Conservation Service (NRCS), an agency of the United States Department of Agriculture (USDA), the North Carolina Department of Agriculture and Consumer Services – Division of Soil and Water Conservation (DSWC) an agency of the State of North Carolina, the **MACON** Soil and Water Conservation District (SWCD), and **MACON** County collectively referred to as the parties, to clearly define the roles and responsibilities of the parties.

The purpose of this agreement is to supplement the Cooperative Working Agreement between the USDA – Natural Resources Conservation Service, North Carolina Department of Agriculture and Consumer Services, North Carolina Soil and Water Conservation Commission, and **MACON** Soil and Water Conservation District. This operational agreement documents those areas of common interest of the federal, state, and local partnership in natural resources conservation.

The parties mutually agree to provide leadership in natural resources conservation. The parties pledge to work together by advancing and practicing teamwork, including input in the decision-making process; communicating, coordinating, and cooperating; promoting mutual respect, and sharing leadership, ownership, credit, and responsibility.

AUTHORITIES, STATUTES, LAWS

NRCS is authorized to cooperate and furnish assistance to the parties in the conservation of natural resources as referenced in the Soil Conservation and Domestic Allotment Act, 16 U.S.C. 590; The Department of Agriculture Reorganization Act of 1994, Public Law 103-354; and Secretary's Memorandum No. 1010-1, Reorganization of the Department of Agriculture, dated October 20, 1994.

DSWC is authorized to enter into this agreement by the North Carolina General Statutes §139-4 and §143B-294 - §143B-297.

The District authority is defined in Soil Conservation Districts Law, General Statutes of North Carolina §139-1 - §139-47.

The County is authorized to enter into this agreement by North Carolina General Statute §153A-11 and §160A-461 - §160A-464.

ROLES AND RESPONSIBILITIES:

CONSERVATION PROGRAM IMPLEMENTATION

The parties recognize the natural resources conservation program as a unique blend of voluntary conservation initiatives and federal, state, and local mandates. Together these address a variety of natural resource, environmental, and educational issues. The parties agree to jointly commit their program authorities and financial and human resources to cooperatively implement a unified natural resource conservation program in areas of mutual concern. The implementation of all programs will be done in accordance with program policy and procedures developed for that specific program – whether federal, state, or local.

Inventories and Data Sharing: The parties agree to identify, define, and coordinate the collection and use of natural resource and other data needed to support the delivery of federal, state, and local conservation program benefits. The parties will cooperate in maintaining data to assure that it supports the mutual needs of the parties for conservation planning, implementation and evaluation. The parties further agree that gathered data will be mutually shared and used in support of conservation delivery framework as needed to facilitate implementation of the programs shown in *Attachment A*. The use and disclosure of information will be consistent with the guidelines provided in the Records, Facilities, and Equipment section of this agreement. Both NRCS and SWCD employees in the office will maintain adequate knowledge of available conservation programs to provide basic customer service including, but not limited to:

1. Interviewing the customer to determine goals and objectives
2. Gathering on farm data to support development of a conservation plan
3. Develop a conservation plan following the NRCS 9-steps of conservation planning process.
4. Districts that are co-located with NRCS shall utilize the latest USDA-NRCS tools for completing conservation planning processes and reporting (i.e., CDSI)
5. Providing basic information about program requirements and sign-up periods
6. Helping a customer complete a program application

Setting Conservation Program Priorities: The parties agree to implement the conservation program based on mutually developed priorities while recognizing individual responsibilities for federal, state, or local mandates. The parties further to agree to annually re-evaluate established priorities and adjust as warranted. SWCD Board has the responsibility to organize local working groups (LWG) to assess resource conditions and establish local priorities. As well, LWG will develop a single SWCD/NRCS partnership plan of work each fiscal year (July 01 – June 30). Each party will prioritize workload as follows, NRCS employees will first address workload associated with federal conservation programs, NRCS priorities, and required NRCS administrative procedures. As time is available, NRCS employees will assist with the North

Carolina State and local programs listed in Attachment A and other District priorities. Likewise, State and District staff will first address workload associated with the State and local programs listed in Attachment A, District priorities, and required District administrative procedures. As time is available, District staff will assist with federal conservation programs and other NRCS priorities.

Local Working Groups: Local working groups (LWGs) are subcommittees of the State Technical Committee and provide recommendations to USDA on local and state natural resource priorities and criteria for conservation activities and programs.

LWGs are responsible for:

- (1) Ensure that a conservation needs assessment is developed using community stakeholder input.
- (2) Utilize the conservation needs assessment to help identify program funding needs and conservation practices.
- (3) Identify priority resource concerns and identify, as appropriate, high-priority areas needing assistance.
- (4) Recommend USDA conservation program application and funding criteria, eligible practices (including limits on practice payments or units), and payment rates.
- (5) Participate in multicounty coordination where program funding and priority area proposals cross county boundaries.
- (6) Assist NRCS and the NRCS conservationist with public outreach and information efforts and identify educational and producers' training needs.
- (7) Recommend State and national program policy to the State Technical Committee based on resource data.
- (8) Utilize the conservation needs assessment to identify priority resource concerns that can be addressed by USDA programs.
- (9) Forward recommendations to the NRCS designated conservationist or Farm Service Agency (FSA) County Executive Director, as appropriate.
- (10) Adhere to standard operating procedures identified in Title 440, Conservation Programs Manual (CPM), Part 501, Subpart B, Section 501.14.

LWG membership should be diverse and focus on agricultural interests and natural resource issues existing in the local community. Membership should include agricultural producers representing the variety of crops, livestock, and poultry raised within the local area; owners of nonindustrial private forest land, as appropriate; representatives of agricultural and environmental organizations; and representatives of governmental agencies carrying out agricultural and natural resource conservation programs and activities. Membership of the local working group may include but is not limited to Federal, State, county, Tribal, or local government representatives.

For the LWGs, Conservation Districts shall:

- (i) Develop the conservation needs assessment as outlined in 440-CPM, Part 500, Subpart A.
- (ii) Assemble the local working group.
- (iii) Set the agenda.
- (iv) Conduct the local working group meetings.
- (v) Transmit the local working group's priority area and funding requests to the NRCS designated conservationist or the State Technical Committee, as appropriate.

It is the NRCS designated conservationist's responsibility to participate in the local working group and to—

- (i) Encourage and assist other USDA agencies to participate in the locally led conservation and working group efforts, as feasible.
- (ii) Assist with identifying members for the local working group.
- (iii) Help identify program priorities and resources available.
- (iv) Assist in the development of program priority area proposals.
- (v) Comply with the National Environmental Policy Act, nondiscrimination statement, and other environmental, civil rights, and cultural resource requirements.
- (vi) Support and advise the local working group concerning technical issues, program policies and procedures, and other matters relating to conservation program delivery.
- (vii) Ensure that populations are—
 - Provided the opportunity to comment before decisions are rendered.
 - Allowed to share the benefits of, not excluded from, and not affected in a disproportionately high and adverse manner by Government programs and activities affecting human health or the environment.
- (viii) Analyze performance indicators and reports.
- (ix) Report the conservation programs' impacts on resources.
- (x) Perform the responsibilities of the conservation district where a conservation district is not present or chooses not to fulfill the responsibilities outlined in 440-CPM, Part 501, Subpart A, Section 501.6A.
- (xi) Give strong consideration to the local working group's recommendations on NRCS programs, initiatives, and activities.
- (xii) Ensure that recommendations, when adopted, address natural resource concerns.

Programs to be implemented: The parties agree to use federal, state, and local programs in a complimentary fashion to address local priorities and concerns. *Attachment A* includes an example of programs that will be utilized to address priorities and concerns. Employees from agencies will work across program lines to assure efficient and effective customer service.

Marketing: The parties agree to conduct a common effort to inform public of program opportunities and benefits. This information will be disseminated to the appropriate media, to promote district activities and programs. See *Attachment A* for a marketing profile and a summary of media outlets.

TECHNICAL ADEQUACY

The parties agree to utilize the NRCS Field Office Technical Guide or Soil and Water Conservation Commission adopted standards as the minimum technical standards for conservation program implementation in areas of mutual concern. The parties may utilize more stringent standards when necessary to comply with locally enacted laws or ordinances. The NRCS will be the lead agency in the development, and maintenance of the Field Office Technical Guide. As well, the NRCS will be the lead agency for all processes associated with Job Approval Authority (JAA) for NRCS conservation practice standards and Conservation Planner Designation (CPD). When program contracts are developed, the District and NRCS employees in the office will provide conservation planning assistance that meets the 9-steps of conservation planning process and applicable policies as described in the 180-GM-Part 409, its supplements and the National Planning Procedures Handbook. At a minimum, the conservation plan will address resource concerns within the client area of interest and objectives. The NRCS recognizes

JAA and the conservation planning process are a dependent, integral part of the conservation delivery in North Carolina. Both parties agree that no practices will be planned, designed or "checked out" based only on JAA parameters. The installation of the practices must be supported by a conservation plan signed by at a minimum a certified conservation planner.

The parties agree that their respective employees will provide technical assistance based on assigned conservation practice JAA which is based on acquired experience, knowledge, skills, and demonstrated ability and within applicable laws, regulations, and guidelines. Conservation practice JAA will be determined and documented according to NRCS National Engineering Manual, Part 501, NRCS Ecological Sciences JAA (190-GM, Part 417) and in accordance with the NC NRCS policy and procedures regarding JAA as described in the NC JAA Handbook (180-GM Part 681). JAA for DSWC conservation practices will be supervised, determined and documented by the N.C. Soil and Water Conservation Commission pursuant to NCAC 15A 06F.0105(c)(3). Each technical employee in the office will acquire the necessary skills to qualify for JAA for the routinely used engineering and non-engineering conservation practices prevalent in the county. Both District and NRCS employees will attend available training sessions to maintain their knowledge, skills, and abilities related to conservation planning and practice Inventory & Evaluation, design, layout, checkout, and certification.

PERSONNEL AND FISCAL MANAGEMENT

The parties recognize that natural resources conservation programs are delivered through an intergovernmental system, in which federal, state, and local governments work together.

The parties will provide their own staffing and fiscal resources commensurate with workload, priorities, allocated funding, and expertise necessary to deliver a balanced and diversified conservation delivery framework. There are certain authorities delegated to specific staff as follows:

Department Head

The parties jointly agree that Melinda James, District Director, Macon Soil and Water Conservation District, will serve as the Department Head. The Department Head will represent the District and its employees at county meetings, conferences, and appropriate functions.

Personnel Management

The management of personnel will be as follows:

- a) Hiring and dismissal of district employees will be in accordance with county personnel policies or district policy.
- b) The management of NRCS personnel is the responsibility of NRCS.
- c) Hiring, supervision, development, evaluation, and dismissal of county employees will be done in accordance with applicable law and county personnel policies.
- d) The management of county employees is the responsibility of the Macon Soil and Water Conservation District Board of Supervisors. In the interest of facilitating these responsibilities, the Supervisory Soil Conservationist (SSC) is delegated the authority for:

- 1) Technical supervision
 - a. As a condition of assigning CPD or JAA for ecological sciences and engineering practices to District employees, NRCS must periodically review the technical work of these employees to assure adherence to planning and design standards and policy. The SSC is assigned the role of Technical Supervisor. NRCS Area Office personnel will also periodically review the technical work of both NRCS and District employees in the office.
- 2) Delivery of employee technical training and development.
- e) The Department Head will make recommendations to the Macon Soil and Water Conservation District Board of Supervisors regarding the following in accordance with county government policy:
 - 1) Recruitment and hiring of district employees.
 - 2) Employee performance evaluation, including awards, disciplinary actions, and separation.
 - 3) Leave coordination and approval.
 - 4) Certification of Time and Attendance Reports.
 - 5) Determination and approval of training requiring expenditure of district funds.
 - 6) For counties with technicians cost shared through the state's cost share programs, responsibility for documenting 2080 hours for each funded position spent per year on non-point source pollution control issues by office staff.

In the event that a county employee feels aggrieved, their recourse is according to county government personnel policy.

Fiscal Management

The parties will work together to maximize available resources and actively seek funding to accomplish natural resource priorities and programs.

Each party is responsible for its own fiscal resources to include equipment, supplies, and accounts.

The Department Head and District Administrative Assistant will actively assist the district with the following:

- 1) Development of operating budgets.
- 2) Tracking of expenditures for maintaining funding accountability.
- 3) Making recommendations regarding expenditure of funds and purchases.

TECHNICAL AND ADMINISTRATIVE CONTACTS

NRCS	Technical
Name:	Mark A. Ferguson
Title:	Assistant State Conservationist-Field Operations
Address:	589 Raccoon Rd., Suite 246, Waynesville, NC 28786
Phone No.	828-558-3240
Fax No.	844-325-6819
E-Mail:	mark.ferguson@nc.usda.gov

NRCS	Administrative
Name:	Jeremy Wood
Title:	Management Analyst
Address:	4407 Bland Rd., Suite 117, Raleigh, NC 27609
Phone No.	919-873-2193
Fax No.	844-325-6833
E-Mail:	jeremy.wood@nc.usda.gov

SWCD	Technical
Name:	Mike Breedlove
Title:	District Director
Address:	191 Thomas Heights Road Franklin NC 228734
Phone No.	828-524-3175
Fax No.	[REDACTED]
E-Mail:	Mbreedlove@maconnnc.org

SWCD	Technical
Name:	Doug Johnson
Title:	District Technician
Address:	191 Thomas Heights Road Franklin NC
Phone No.	828-524-3175
Fax No.	[REDACTED]
E-Mail:	djohnson@maconnnc.org

SWCD	Administrative
Name:	[REDACTED]
Title:	[REDACTED]
Address:	[REDACTED]
Phone No.	[REDACTED]
Fax No.	[REDACTED]
E-Mail:	[REDACTED]

RECORDS

RECORDS

The parties will agree on the maintenance, update, and disposition of relevant records. Access to records will be governed by the Section 1619 of the Food, Conservation, and Energy Act of 2008, the Federal Freedom of Information Act (FOIA) and/or the North Carolina Public Records Law depending on whether the record is a federal record or a state/local record. Each party accepts responsibility for any security breach caused by their employee(s). District personnel with access to federal records, either electronic or hard copies, will complete the required annual security training, conducted through NRCS.

All parties agree to protect personally identifiable and/or confidential information from customers and employees by securing this information in locked file cabinets. When the information is being used and not in a locked cabinet, the employees will keep it with them personally (folder, memory storage device) to avoid improper disclosure of information or loss of data. Personally identifiable and/or confidential information will only be used for authorized purposes.

FEE FOR SERVICES

From time to time, the **Macon** Soil and Water Conservation District may:

- Sell material (i.e. native species plants)
- Solicit sponsorship for special events, or community/educational workshops
- Perform general fundraising

ACCOUNTABILITY

The parties agree to cooperatively develop and utilize natural resource databases to measure effectiveness in program delivery and customer satisfaction. The District will provide a copy of its Annual Report by September 1 and Plan of Operations by July 31 to other signatories of this agreement. The District will also provide a copy of their Long Range Plan which, at no time, will be in excess of five years old.

SCOPE OF AGREEMENT

This agreement covers the basic operating understanding between all parties. Authority to carry out specific projects or activities, transfer of funds, or acquisition of services or property, will be established under separate agreement. The parties agree that contracts, memorandums of understanding, and/or additional agreements may be entered into, as needed, to facilitate the implementation of natural resources conservation programs within the conservation districts.

TORT LIABILITY

The parties will each assume responsibility for the actions of their officials or employees acting within the scope of their employment to the extent provided by federal and state laws and local ordinances.

CIVIL RIGHTS

The parties recognize the benefit and importance of delivering conservation programs equitably to all customers, having a diverse staff to assist this customer base, and having diversity within the district board. The parties agree to work cooperatively to achieve diversity in all aspects of the conservation program through effective outreach and marketing.

The parties will be in compliance with the nondiscrimination provisions contained in Titles VI and VII of the Civil Rights Act of 1964, as amended, the Civil Rights Restoration Act of 1987 (Public Law 100-259) and other nondiscrimination statutes, namely, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, Americans With Disabilities Act of 1990, and in accordance with the regulations of the USDA Secretary of Agriculture (7CFR-15, Subparts A & B) which provide that no person in the United States shall, on the grounds of race, color, national origin, age, sex, religion, marital status, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance from the Department of Agriculture or any agency thereof.

REVIEW/ MODIFICATION/TERMINATION

This agreement will be reviewed annually and, unless amended, shall be in effect for a period not to exceed five (5) years from the date of final signature. The agreement can be modified or terminated at any time by mutual consent of all parties or can be terminated by any party giving 60 days written notice to the other parties.

UNITED STATES DEPARTMENT OF
AGRICULTURE
NATURAL RESOURCES
CONSERVATION SERVICE

NCDA&CS – DIVISION OF SOIL AND
WATER CONSERVATION

By: _____
State Conservationist

By: _____
Director

Date: _____

Date: _____

MACON SOIL AND WATER
CONSERVATION DISTRICT

MACON COUNTY

By: _____
Chairperson

By: _____
County Manager

Date: _____

Date: _____

Attachment A

The following is a detailed list of Resource Inventories, Programs, and Marketing Media used to address local conservation priorities and concerns. The parties agree to utilize these in a complimentary manner, thus maximizing the delivery of conservation benefits to the customers and clients. This list is subject to informal changes or updates.

RESOURCE INVENTORY & DATA SHARING

Natural Resource Inventory (FSA, NCACSP, 0.200)
River Basin Study Reports
Natural Heritage Inventory of Onslow County
Macon County GIS
Macon SWCD Long Range Plan
Soil Survey of Macon County
County Inventory and Flood Insurance Rate
Historical Aerial Photos

NC Agriculture Cost Share Program (NCACSP)
Environmental Quality Incentives Program (EQIP)
Forest Land Enhancement Program (FLEP)
Wildlife Habitat Incentives Program (WHIP)
NRCS Toolkit
Maps (USGS Topographical, National Wetland Maps)
Grassland Reserve Program (GRP)

PROGRAMS

Federally Initiated Programs

Conservation Technical Assistance (CTA)
National Cooperative Soil Survey (NCSS)
Small Watershed Program (PL-566)
River basin Surveys & Investigations (RB-09)
Resource Conservation & Development (RC&D)
Emergency Watershed Program (EWP)
Environmental Quality Incentives Program (EQIP)
Agricultural Conservation Easement Program
Conservation Stewardship Program (CSP)
Agricultural Conservation Easement Program (ACEP)
Other Farm Bill authorized conservation programs

Forest Land Enhancement Program (FLEP)
Wetland Reserve Program (WRP)
Wildlife Habitat Incentives Program (WHIP)
Conservation Reserve Program (CRP/CREP)
Emergency Conservation Program (ECP)
NC Partners for Wildlife
Farmland Protection
319 Funds
Grassland Reserve Program (GRP)

North Carolina Initiated State Programs

NC Agriculture Cost Share Program (NCACSP) -
DSWC
Erosion and Sedimentation Control – Urban Areas
Site Plan Reviews – Non-Ag. Developments
Confined Animal Permits – NCDENR
Farmland Protection
NC – Wetland Restoration Program (NC-WRP)
NC Agriculture Water Resource Assistance Program
(AgWRAP) – DSWC

Comm. Conservation Assistance Program (CCAP)
Clean Water Management Trust Fund (CWMTF)
Wildlife Biology Technical Assistance – NCWRC
Wildlife Restoration Committee
State non-discharge rules (0.100, 0.2H200 & 0.2T)
Forest Development Plan – (FDP) – NCFS
North Carolina Environmental Education Plan
North Carolina Big Sweep

Locally Initiated Programs

Farmland Preservation
Site Plan Reviews – Non-Ag. Developments
Awards and Recognition Program

Open Spaces Institute Advisory Board
Erosion & Sedimentation Control – Urban Areas
Environmental Education

MARKETING MEDIA

- Newsletters (SWCD, FSA, CES, County Web.)
- Private & Public Schools

- Regional Chamber of Commerce
- Community College

Agreement Number: _____

- Church Newsletters
- Local Broadcasting (TV, Radio, Cable)
- 4-H Groups
- Social Media (Facebook)

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

MEETING DATE: November 13, 2018

DEPARTMENT/AGENCY: Economic Development

SUBJECT MATTER: Resolution and Lease regarding TECO SSL, Inc.

COMMENTS/RECOMMENDATION:

Please see the attached resolution and lease prepared by the County Attorney. Per Economic Director Tommy Jenkins, TECO SSL, Inc. will be leasing Unit B in the Business Development Center at an annual rate of \$3 per square foot or \$918 per month, with the one-year lease to become effective November 14th.

Attachments 2 Yes No

Agenda Item 11B

STATE OF NORTH CAROLINA
COUNTY OF MACON

**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.**

THAT WHEREAS, Macon County owns certain real property being described in the Lease to TECO SSL INC., a Tennessee Business Corporation, a copy of which is attached hereto; and

WHEREAS, Macon County does not presently have a use for the same; and

WHEREAS, Macon County desires to declare the same to be surplus and authorize the entry of the Lease to TECO SSL INC., a Tennessee Business Corporation, a copy of which is attached hereto, for the period of one year from June 15, 2018; and

WHEREAS, pursuant to N.C. Gen. Stat. § 160A-272, Macon County is authorized to enter into the Lease to TECO SSL INC., a Tennessee Business Corporation, a copy of which is attached hereto, upon the passing of a Resolution authorizing the same.

NOW THEREFORE, upon Motion of Commissioner _____, seconded by Commissioner _____, and duly approved, be it hereby resolved by the Macon County Board of County Commissioners as follows:

RESOLVED, that Macon County will not have a need for the real property described in the Lease to TECO SSL INC., a Tennessee Business Corporation, a copy of which is attached hereto and incorporated herein by reference for and during the term of such lease and does hereby declare the same to be surplus property; and

RESOLVED, that Macon County does hereby authorize the entry into the Lease to TECO SSL INC., a Tennessee Business Corporation, a copy of which is attached hereto and incorporated herein by reference, for the period of one year from November 14, 2018, through the end of November 13, 2019; and

RESOLVED, that Derek Roland, Macon County Manager, is hereby authorized and directed to fill in any blanks upon the same and execute said Lease to TECO SSL INC., a Tennessee Business Corporation, on behalf of Macon County.

Adopted at the November 13, 2018, Regular Meeting of the Macon County Board of Commissioners.

James Tate, Chairman, Macon County Board of
County Commissioners

ATTEST:

Derek Roland, Macon County Manager
and Clerk to the Board

(Official Seal)

**NORTH CAROLINA
MACON COUNTY**

**LEASE TO TECO SSL INC.,
A TENNESSEE BUSINESS CORPORATION,
FROM MACON COUNTY**

This lease is made this 14th day of November, 2018, by and between MACON COUNTY, a body corporate and politic organized and existing under the laws of the State of North Carolina, hereinafter called the "Lessor," and TECO SSL INC., a Tennessee Business Corporation, hereinafter called the "Tenant."

WITNESSETH:

That, subject to the terms and conditions hereinafter set forth, the Landlord does hereby demise and let and the Tenant does hereby rent and hire from the Landlord, those certain premises (hereinafter referred to as the "Premises") located at the Macon County Business Development Center and more particularly shown in yellow and blue on Exhibit A attached hereto and incorporated herein as limited hereinafter.

(1) Premises. Lessor leases unto the Tenant, and the Tenant accepts upon the full terms and conditions of this lease, that certain space located in the Macon County Business Development Center at the Macon County Industrial Park near Franklin, NC, as specifically shown in yellow and blue on the drawing of the floor plan of the Business Development Center which is attached hereto as Exhibit A and incorporated herein by reference as limited hereinafter. The space designated on the drawing attached hereto as Exhibit A in the color yellow is leased unto the Tenant for Tenant's exclusive use. The spaces outlined in blue and designated on the drawing as the Men's and Women's Restrooms, Lounge, Janitor's Closet, Corridors, Loading Dock, Halls and Waiting Room may be used by Tenant for Tenant's non-exclusive use in common with any other tenants in the Business Development Center and Lessor, together with such portion of the premises as is reasonably necessary for access, parking and use of the leased premises.

(2) Term. Subject to the terms below, this lease shall commence November 14, 2018, and shall continue for a term expiring at the end of November 13, 2019. **THAT NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED HEREIN, LESSOR MAY END THIS LEASE UPON 30 DAYS NOTICE TO TENANT WITHOUT LEGAL CONSEQUENCE.**

(3) Rent. The Macon County Business Development Center is owned by Macon County as a small business incubator to promote economic development and the growth of jobs in Macon County. The lease of the premises to Tenant is in furtherance of that policy. The monthly rent for the aforementioned space is \$918.00 per month. Rent is due and payable on the 14th day of each month in advance.

(4) *Use of Premises.* The leased premises shall only be used by Tenant for a business that does Design & Manufacture LED Paint Inspection Lighting Systems for OEM Automotive Manufacturers such as TESLA, TOYOTA, FORD and Etc.

(5) *No Assignment.* This lease shall not be assigned by Tenant nor shall Tenant sublet the leased premises or any portion thereof.

(6) *Tenant's Responsibilities for Repairs.* Tenant agrees to accept the premises in their present condition and to maintain the interior components of the portion of the premises leased to Tenant in a good state of repair during the term of this lease. Interior components shall include the floors, walls, ceilings, electrical components, lighting fixtures, plumbing and plumbing fixtures. Tenant shall be responsible for interior repairs in the portions of the premises leased to it exclusively and in common with other tenants. If other space in the Center is leased to existing or additional tenants, the tenants shall establish a procedure by which all tenants using the common area shall share in the cost of such maintenance. At termination, Tenant shall surrender the premises to the Lessor in as good condition as they now are, except for ordinary wear and tear incident to the use of the premises.

(7) *Lessor's Responsibilities for Repairs.* Lessor shall make all necessary repairs to the exterior of the premises, including the parking and driveway areas, exterior walls, windows and roof. In the event the premises or any part thereof are substantially damaged by fire or other casualty to the extent that necessary repairs will exceed twenty percent of the value of the building, the parties agree that Lessor shall have no obligation to make the repairs and Lessor may elect to either make the necessary repairs or to terminate the lease.

(8) *Maintenance.* Tenant shall be solely responsible for all routine and recurring maintenance, including cleaning, trash removal and painting of the interior portion of the premises leased to it exclusively and the portion of the premises leased to is as common area with other tenants. If other space is leased to existing or additional tenants, the tenants shall establish a procedure by which all tenants using the common area shall share in the cost of such maintenance. Lessor shall continue to maintain the exterior premises including the parking areas, driveways and landscaping/mowing.

(9) *Abatement of Nuisances and Appearance.* Tenant shall comply with all laws, rules and regulations of any governmental jurisdiction applicable to the leased premises and shall take all measures necessary to prevent or abate nuisances or other grievances arising out of the manner of the occupancy of the premises for its business purposes. Tenant shall further maintain the appearance of the premises in manner that is aesthetically pleasing and consistent with other business users in the neighborhood and shall not accumulate trash or debris nor display merchandise on the premises.

(10) *Utilities.* Lessee shall be responsible for furnishing its utilities for Unit B shown on Exhibit A attached hereto. Lessor will provide utilities for the balance of the leased premises.

(11)*Alterations.* Tenant shall not make any alterations, additions or improvements to the premises without first obtaining written permission from the Lessor and any such alterations, additions or improvements which are permitted shall inure to the benefit of the Lessor upon expiration of the lease and surrender of the premises by the Tenant.

(12)*Indemnification.* Tenant shall indemnify Lessor and hold it harmless from and against any and all claims, actions, damages, liability and expense in connection with the loss of life, personal injury or damage to property occurring in or about, or arising out of, the leased premises, or occasioned wholly or in part by any act or omission of Tenant, its agents, licensees, concessionaires, customers or employees. In the event Lessor shall be made a party to any litigation, commenced by or against Tenant, its agents, licensees, concessionaires, customers or employees, then Tenant shall protect and hold Lessor harmless and shall pay all costs, expenses and reasonable attorneys' fees included or paid by Lessor in connection with such litigation.

(13)*Environmental Matters.* With respect to any pollutants, contaminants, chemicals, or industrial, toxic or hazardous substance or material defined as such in, or for purposes of, all applicable environmental laws, rules, regulations and ordinances now or hereafter in effect ("Environmental Laws"), including without limitation, any waste constituents coming within the definition or list of hazardous substances in 40 C.F.R. §§ 261.1 through 261.33 ("Hazardous Material"), the Tenant represents, warrants and covenants that it will indemnify and hold Lessor harmless from and against any and all losses, liabilities, damages, injuries, interest, deficiencies, fines, penalties, costs, expenses, attorneys' fees, disbursements, and costs of investigation and clean-up, including without limitation, claims, suits, and proceedings by federal, state, or local government authorities with respect to, or as a direct or indirect result of (i) the presence on or under, or the escape, seepage, leakage, spillage, discharge, emission, discharging or releasing from, the property of any Hazardous Material, if such occurs during the term of the lease, (ii) any other environmental pollution, including without limitation, any contaminant, waste, irritant or pollutant, discharged into or otherwise contained in the environment at or adjacent to the property if such occurs during the term of the lease, (iii) non-compliance relating to the Tenant's business or the property with any Environmental Law or any other federal, state or local statute, law, ordinance, rule, regulation, order or decree, or (iv) the inaccuracy, misrepresentation or violation or default of or under any matter set forth in this section unless any such loss, liability, damage, injury or the like is directly caused by negligent acts of the Lessor. In addition, the Tenant shall at all times keep on file with the Macon County Fire Marshall a list of any of the materials, substances, or chemicals described in this paragraph and stored or kept on the leased premises.

(14)*Incidents of Default.* Each and every term of this lease is a material part of this lease and continuation of the lease is conditioned on the parties' adherence to its terms. The breach or threatened breach of any of the lease terms by the Tenant shall be deemed an incident of default. A declaration of insolvency or the filing of a petition of bankruptcy by the Tenant shall also be deemed an incident of default. In the event Tenant defaults as defined in this paragraph, Lessor may declare the lease terminated and retake possession of the premises upon allowing Tenant a reasonable time to vacate the premises and remove its personal property from the premises.

(15) *E-Verification.* Tenant shall comply with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, if Tenant utilizes a subcontractor, Tenant shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the General Statutes.

In testimony whereof, the parties have signed this lease on the date first written above in duplicate originals, one of which is retained by each of the parties.

COUNTY OF MACON

By: _____
Macon County Manager

TECO SSL INC.
A Tennessee Business Corporation

By: _____
President

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

MEETING DATE: November 13, 2018

DEPARTMENT/AGENCY: Transit

SUBJECT MATTER: 2 items

COMMENTS/RECOMMENDATION:

- (1) **System Safety Plan** – Due to the size of this document, the County Manager had recommended to the Transit Director that she prepare a synopsis of it to share with the board, and a copy is attached. That synopsis also contains an updated organizational chart. In addition, a plan outline/signature page is also attached. Ms. Angel will be at the meeting to answer questions, and will have with her or make available a complete copy of the system safety plan.
- (2) **Proposed advertising on vehicles** – Ms. Angel and the County Attorney will have details on this item at the meeting.

Attachments 2 Yes No

Agenda Item 11C(1) and (2)

Macon County Transit
System Safety Plan (SSP) Update
Synopsis for Macon County Board of Commissioners
November 13, 2018

Requested Action: Approval of updated System Safety Plan

What is the SSP?

A comprehensive, collaborative approach to managing safety. It brings management and labor together to control risk better, detect and correct safety problems earlier, share and analyze safety data more effectively, and measure safety performance more precisely. SMS implementation will provide transit agency leadership with a better understanding of the safety risks within their organizations and enable them to maximize federal, state and local transit investments to proactively implement appropriate solutions to address those risks and ensure the safety of transit passengers and employees. This is codified at 49 U.S.C. § 5329(d).

Is this a new document?

No. However, there have been recent changes by FTA that affect larger transit systems. NCDOT Public Transportation Division also requires small, rural systems to have in place a safety plan and incorporate the requirements set forth by the FTA.

When MCT's plan was last approved?

The plan was approved by the BOC on December 8, 2015.

Why is this being brought before the Board now?

MCT had a system safety review in April. During that review, there were 2 areas out of 58 that were found to be deficient and 5 areas where a "best practices" was suggested. In order to be compliant with NCDOT/FTA regulations, the document has to be updated and brought before the governing Board for approval.

What changes have been made to this plan from the previous plan?

- Deficiency 1 Recommended Action: Update SSP w/ remedy of any finding from this review & obtain Board approval. Action Taken: This deficiency will be corrected up approval by BOC
- Deficiency 2 Recommended Action: Identify the Accountable Executive and Safety Coordinator in the organization chart and modify the job descriptions to include the duties. Action Taken:

The Transit Director has been identified as the Accountable Executive for the safety program – the job description for this position has been updated and submitted to Human Resources to reflect this responsibility in duties. The Transit Operations Supervisor has been identified as the Safety Officer for the department - the job description for this position has been updated and submitted to Human Resources to reflect this responsibility in duties. The change has also been reflected on the Transit org chart. (Org chart attached)

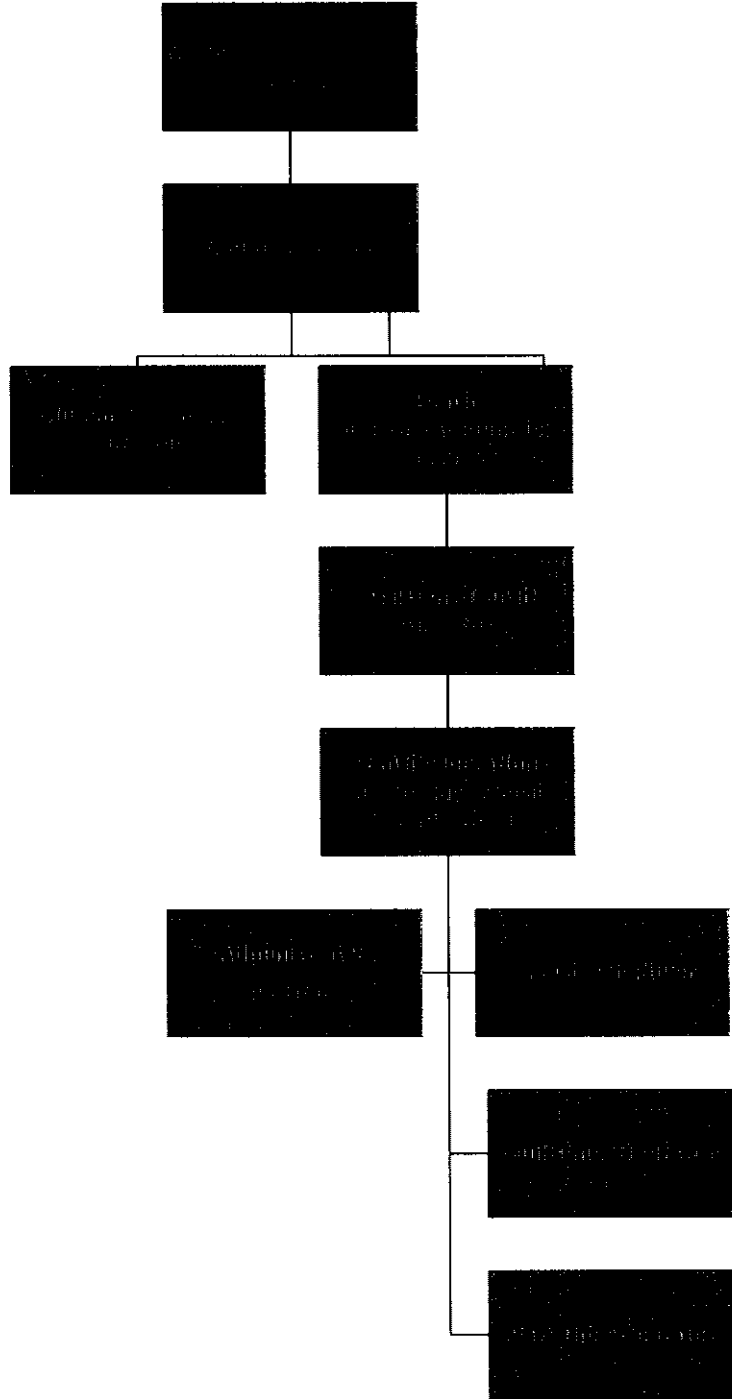
- Best Practice Recommendations included ride checks for drivers, periodical training, placing a signed copy of training by the employee in the training file specifically for the employee, include an a reference to an annual Fire Safety Inspection, including a blank form used for the inspection, and replace the outdated Drug & Alcohol testing policy with the most recently approved policy. All best practice items were addressed in the plan and are now incorporated. (Note: MCT already had ride checks and periodical training in place – not sure why these were added as best practice but we ensured it was addressed in the plan.)
- All references to System Safety Program Plan or SSPP have been changed to System Safety Plan and SSP

MACON COUNTY TRANSIT ORGANIZATIONAL CHART

FISCAL YEAR 2019

DEPARTMENT NUMBER 4930

DEPARTMENT NAME Transit



SYSTEM SAFETY PLAN

Program Description:

The System Safety Plan (SSP) was developed utilizing established guidance listed in the procedural manuals of the North Carolina Department of Transportation Standard Operating Procedure SSP-001 and the State Management Plan. The SSP consists of and addresses the required six (6) core elements:

1. Driver/Employee Selection
2. Driver/Employee Training
3. Safety Data Acquisition Analysis
4. Drug, Alcohol and Abuse Program
5. Vehicle Maintenance
6. Security

Macon County Transit's number one priority is adherence to policies and procedures of the core elements. All of the elements listed are equal in importance and the policies and procedures must be met. The compliance will ensure that we meet all Federal Transportation Administration (FTA) and North Carolina Department of Transportation Public Transportation Division (NCDOT/PTD) policies and regulations.

Driver/Employee Selection Element:

Fair hiring practices are used to select employees. Each potential employee will complete a written application. The Executive Director and/or appointed official and supervisor shall interview each potential employee.

Driver/Employee Training Element:

The minimum requirements for vehicle operator training are Defensive Driving, Americans with Disabilities Act, Bloodborne Pathogens and Emergency Procedures for Vehicle Operators. In addition to the minimum requirements the follow actions must be completed:

1. The training must be completed annually
2. The training material must be on file for review by NCDOT/PTD
3. Records of each individual trained must be retained on file for five (5) years
4. Each driver must have an annual driver's performance evaluation to provide refresher training, assess skills, techniques, knowledge, etc...

Safety Data Acquisition Analysis Element:

The goal of the Safety Program is the reduction of accidents and injuries to transit customers, employees and the general public. Safety is a shared responsibility between system management and employees. It is the policy of Macon County Transit to provide a place of employment that is free from recognized hazards that could result in death or serious injury to employees, customers or the general public. It is the responsibility of each employee to report all incidents or unsafe conditions to their supervisor. Supervisors must immediately take necessary corrective action to prevent unsafe conditions.

Prohibited behaviors are behaviors that are in violation of the System Safety Policy. Such behaviors include behaviors that threaten the safety of employees, customers and the general public. Other

unacceptable behaviors include those that result in damage to system, employee and public and/or private property. An employee who intentionally violates the safety policy and procedures will be subject to appropriate disciplinary action, as determined by the findings of an investigation. Such discipline may include a warning, demotion, suspension or immediate dismissal. In addition, such actions may cause the employee to be held legally liable under State or Federal Law.

Drug Alcohol and Abuse Program Element:

The goal is to provide a safe, healthy and productive drug-free work environment for all employees. A person being under the influence of a drug or alcohol while on the job poses serious safety and health risk to the user, co-workers as-well-as passengers. Macon County Transit has established a policy of a drug-free work environment. A standard of zero tolerance for use of alcohol, illegal substances, or the misuse of prescription medications during work hours or the presence of these substances in the body during work hours regardless of when consumed. Random drug test will be administered.

Vehicle Maintenance Element:

The goal is to ensure each vehicle and wheelchair lift is properly maintained to maximize the service life, maintain reliability, mitigate high maintenance costs and sustain proper safety and mechanical condition. To accomplish this goal we will at a minimum adhere to the vehicle manufacturer's maintenance/service manual and the wheelchair lift service manual.

Security Element:

The overall purpose of the Security Program is to optimize -- within the constraints of time, cost, and operational effectiveness -- the level of protection afforded to vehicles, equipment, facilities, passengers, employees, volunteers and contractors, and any other individuals who come into contact with the system both during normal operations and under emergency conditions.

The security of passengers and employees is paramount to promoting the objectives of FTA and NCDOT. We will take all reasonable and prudent actions to minimize the risk associated with intentional acts against passengers, employees and equipment/facilities. To further this objective, we have developed security plans and procedures and emergency response plans and procedures. The plans have been coordinated with local law enforcement, emergency services and with other regional transit providers, which addresses the conduct of exercises in support of their emergency plans, and assessment of critical assets and measures to protect these assets.

The SSP will be updated as changes occur. An annual review is required to ensure all information is current. The annual review must be adopted by the board.

This operational policy, as amended, was adopted by the Macon County Board of Commissioners.

Date November 13, 2018

System Manager (Signature) _____

Governing Board Chairman (Signature) _____

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

MEETING DATE: November 13, 2018

DEPARTMENT/AGENCY: Tax

SUBJECT MATTER: Request for refund

COMMENTS/RECOMMENDATION:

Edward Hasler of Highlands has requested a tax refund for taxes paid on an aircraft that he says has not been hangered in Macon County. A copy of his request and other documentation is attached. Tax Administrator Richard Lightner and the County Attorney can provide more detail at the meeting.

Attachments 1 Yes No

Agenda Item 11D

August 17, 2018

Macon County Tax Collector
5 West Main Street
Franklin, NC 28734-3005

Mr. Frank Lightner

RE: Bill No 18A142658.01 Account No. 142658

Dear Sir

I am requesting a refund of this tax bill which was previously paid as an oversight on my part. The invoice is for my Piper Meridian aircraft (N240ER) which has not ever been in Macon County. The aircraft is normally hangared at Asheville airport as well at locations in Florida and Georgia, but to reiterate it has not been at any time in Macon County.

My residence is in Highlands, North Carolina (705 Highlands Cove Drive, Unit 2) which actually falls in Jackson County.

I am enclosing a copy of the paid tax bill for your review and consideration.

Should you need more information to conclude this matter, please let me know.

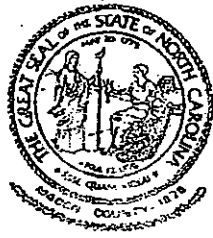
Respectfully



Edward A. Hasler
705 Highlands Cove Drive Unit 2
Highlands, NC 28741

260-667-8421 (Cell)
ehasler2@aol.com

MACON COUNTY TAX COLLECTOR
 5 WEST MAIN STREET
 FRANKLIN NC 28734-3005
 www.maconctax.com



PROPERTY TAX NOTICE

DUE DATE: Property taxes are due and payable September 1, 2018 and delinquent if not paid in full by January 5, 2019. Postmark affixed by U.S. Postal Service will be accepted.

INTEREST: 2% interest assessed after January 5 plus additional interest of .75% on the first of each month thereafter until paid.

RETURNED CHECK PENALTIES/FEEES: A 10% penalty of the amount of the check as provided by N.C.G.S. 105-357(b)(2) or \$25.00 fee per N.C.G.S. 253-506.

ESCROW/MORTGAGE ACCOUNTS: The Property owner is responsible for ensuring full payment of this obligation. **If funds are held in escrow for payment of taxes, forward to the appropriate mortgage holder. If this property or a portion of this property has sold this year, contact your closing attorney.**

PAYMENT: May be made in person Monday-Friday 8:00 a.m. - 5:00 p.m. at the Annex Bldg. A Drive-Up Drop Off Box will be available 24 hours a day at the Annex Bldg.

Personal Property Tax Appeal must be made within 30 days of notice. NC GS 105-317.1(c).

9944



HASLER, EDWARD
 705 HIGHLANDS COVE DR UNIT 2
 HIGHLANDS NC 28741-9466

PARCEL NO.	ACCOUNT NO.	BILL NO.	BILL DATE	TAX YEAR	DUE DATE	DELINQUENT AFTER
	142658	18A142658.01	07-12-18	2018	09-01-18	01-05-19

REAL ESTATE DESCRIPTION: PERSONAL ONLY
 ACREAGE:

BUILDING VALUE: 0
 LAND VALUE: 0
 REAL ESTATE TOTAL VALUE: 0
 LESS AGE/DISABILITY VALUE: 0
 LESS DEFERRED VALUE: 0

PROP VALUE: 1375000
 TABLE VALUE: 1375000

PAY BY PHONE 1-888-651-5956
 PAY ONLINE www.maconctax.com

2.57% fee based on Total Amount Due



No Payments + No Interest if paid in full in 6 months on purchases of \$99+ Check out with PayPal and choose Bill Me Later - subject to credit approval See Terms

www.maconctax.com

QUESTIONS, CALL ASSESSOR AT 828-349-2143

WARD A. HASLER
 JEN S. HASLER
 413-6936
 PALONIA CT
 SOTA, FL 34239-6943

MACON County Tax Collector
 August 2, 2018
 \$ 4,798.75
 Thousand Seven hundred Ninety Eight and 75/100 Dollars

The Bank of New York Mellon
 1 Wall Street
 New York, NY 10286

Edy Tax 135 Old Wabon
 1001571: 7100234984

Schwab One®
 Edward Ottave
 21794

QUESTIONS CONCERNING PAYMENT

PLEASE RETURN THIS PORTION WITH YOUR PAYMENT

PARCEL NO.	ACCOUNT NO.	BILL NO.	BILL DATE	DUE DATE
	142658	18A142658.01	07-12-18	09-01-18

TOTAL AMOUNT DUE

4798.75

TOTAL AMOUNT PAID

TO CHANGE YOUR MAILING ADDRESS, PLEASE FILL IN NEW ADDRESS BELOW

NAME: _____
 ADDRESS: _____
 CITY: _____ STATE: _____ ZIP: _____

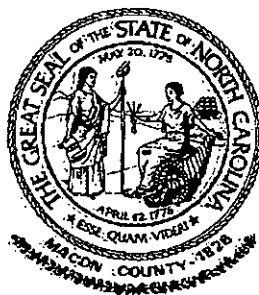
MAKE CHECK PAYABLE & REMIT TO:

MACON COUNTY TAX COLLECTOR
 P.O. BOX 71059
 CHARLOTTE NC 28272-1059



To Make Credit Card Payment:
 Phone payment: 1-888-651-5956
 Internet www.maconctax.com

MONTHLY PAYMENTS ARE ONLY ACCEPTED
 PRIOR TO DELINQUENCY
 DATE OF JANUARY 05, 2019



142658

1,375,000

June 28, 2018

Hasler Edward
705 Highlands Cove Dr Unit 2
Highlands, NC 28741

The FAA registry has furnished our office with a list of aircraft registered in Macon County. The following aircraft was listed in the above name.

Manufacture Name: Piper Aircraft

Year: 2011

Model # PA46-500TP

Serial # 4697447

All aircraft should be listed as personal property and filed with the Tax Assessors Office each year. If you have listed the referenced aircraft for taxation in another county please provide our office with the location and proof of listing. If this information is correct please sign and return this letter within 15 days of this notice.

Signature

Edward Hasler

Macon County Tax Assessors Office
5 West Main Street
Franklin, NC 28734

* I spoke w/ Mr. Hasler he listed
this AC here in error. The plane
has never been in Macon.
Only Asheville / FL.
8/17/18 He will request
a refund

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

MEETING DATE: November 13, 2018

DEPARTMENT/AGENCY: Planning, Permitting & Development

SUBJECT MATTER: Release of land disturbing surety bond

COMMENTS/RECOMMENDATION:

Planning, Permitting and Development Director Jack Morgan will be at the meeting requesting the release of the land disturbing surety bond for the Indigo Homestead apartment building complex located off of Siler Road. Please see the attached documentation for more details, and Mr. Morgan will be at the meeting to answer questions.

Attachments 1 Yes No

Agenda Item 11E



**MACON COUNTY DEPARTMENT OF
PLANNING, PERMITTING & DEVELOPMENT
1834 LAKESIDE DRIVE
FRANKLIN, NC 28734**

To: Macon County Board of Commissioners

Re: Indigo Homestead Inc. Land Disturbing Surety Bond

I, Jack D Morgan, do hereby certify to the Macon County Board of Commissioners that I have personally inspected the Indigo Homestead apartment building complex located off Siler Road for the purpose of determining compliance with Macon County Soil and Erosion Control Ordinance and conformance with the Civil Engineering Design for this project.

It is my determination and I do hereby certify by way of this document that this project is in compliance with above referenced ordinance and plans, and that the groundcover, drainage systems and storm water systems are performing as required.

In response to the above certification I do hereby recommend to the Macon County Board of Commissioners that the Board does release the Bond for the amount of \$500,000 issued by SureTec Insurance Company, POA# 3310001, on behalf of Indigo Homestead Inc. for this project.

Respectfully

Jack Morgan, Director
jmorgan@maconnc.org
828-349-2170



Macon County Erosion Control Program

Macon County Human Services Building, 1834 Lakeside Drive
Franklin, N.C. 28734 Phone: 828-349-2560

LAND DISTURBING SURETY BOND

Consult instructions for completion.

PRINCIPAL INFORMATION:

Name: Indigo Homestead, Inc
D.B.A.: Indigo Homestead, Inc.
Site or Project Name: Indigo
Land Owner(s) of Record: Indigo Homestead LLC
Address: 14 Brewery Lane
City/State/zip: Tryon, NC 28782-8782
Phones and Fax: 828-351-9151
E-Mail Address: jim@workforcehomestead.com
State License or Registration #'s: C2015 238 00745 (NC Secretary of State, Articles of Incorporation)

SURETY INFORMATION:

Name: SureTec Insurance Company
Address: 1220 Post Oak Boulevard, Suite 1100
City/State/Zip: Houston, TX 77056
Phones and Fax: (800)868-8834 FAX: (866)332-3051
E-Mail Address: jennifer.hoehn@wellsfargo.com
Bond#: 3382115

State of North Carolina
County of Macon

KNOW ALL MEN BY THESE PRESENTS THAT WE, James Yamin, President of Managing member,
(Principal Name)

as Principal and SureTec Insurance Company, as Surety, are held and firmly bound unto the County
(Surety Name)
of Macon, in the sum of (\$27,500.00) twenty seven thousand five hundred dollars to the
payment where we bond ourselves our heirs, executors, administrators, and assigns, firmly by these present.

WHEREAS, the above bounden Principal has applied for an **EROSION CONTROL PLAN APPROVAL AND
LAND-DISTURBING PERMIT**, in Macon County, North Carolina.

The condition of this obligation is such that:

WHEREAS, the said Principal is or desires to be engaged in a **LAND-DISTURBING ACTIVITY** within
Macon County on a parcel or tract of land which is known in the official registry of the Macon County Land Records
Office by the **PROPERTY IDENTIFICATION NUMBER** of: Plat Card # 8685, and said parcel or tract may also
be found in **DEED BOOK**: D-37 and **PAGE #**: 1108 in the Macon County Register of Deeds Office, and

WHEREAS, there have been promulgated by Macon County, certain rules and regulations for the conduct of
such land-disturbing activities as proposed by the Principal, and

WHEREAS, specific to the conditions creating the requirement of this Surety Bond, the said land-disturbing activity is subject to §153.22 (C) of Chapter 153 of the Macon County Code of Ordinances: Erosion and Sediment Control, and

NOW THEREFORE, if the said Principal shall well and truly perform the land-disturbing activity from the time of undertaking to completion within the guidelines set forth in the approved erosion and sediment control plan for the project and Chapter 153 of Macon County's Code of Ordinances (Erosion and Sediment Control), Macon County will make no demand to redeem the bond. However, the said Principal and the said Surety shall well and truly pay to Macon County all applicable surety bond funds stated herein if the land-disturbing activity in is non-compliance with said Ordinance for 90 working days after a Notice of Violation is received by the Principal.

It is expressly understood that this bond may be canceled by the Surety only at the expiration of thirty (30) calendar days from the date upon which the Surety shall have filed with the Macon County Erosion Control Program and the Macon County Finance Director written notice to so cancel. This provision however, shall not operate to relieve, release or discharge the Surety from any liability, civil penalties or criminal penalties already accrued or which shall accrue before the expiration of the thirty (30) day period. It is expressly understood that if the bond lapses or expires prematurely, the Land-Disturbing Permit will be revoked, and an application for a new Land-Disturbing Permit must then be submitted. It is expressly understood that upon forfeiture of applicable surety, the Principal does hereby grant to Macon County the right to enter said property at reasonable times and perform work upon said property to the value extent of the bond and only for the purpose of installation of sufficient erosion and sediment control measures and devices on the site in accordance with Chapter 153 of the Macon County Code of Ordinances: Erosion and Sediment Control. It is expressly understood that forfeited surety shall be also used to establish erosion control structures or ground covers in accordance with an approved sediment control plan.

This is the 19th day of May, 2016.

PRINCIPAL: Indigo Homestead, Inc. *[Signature]*

WITNESS TO PRINCIPAL: *Patricia Skert*

SURETY SEAL: SureTec Insurance Company

WITNESS TO SURETY: *[Signature]*

John Dufresne

ATTORNEY-IN-FACT (SURETY): *[Signature]*

Jennifer C. Hoehn, Attorney in Fact

Details of Application:

1. The number of acres to be disturbed, including all borrow and waste areas and all access and haul roads will be stated as follows to the nearest tenth of an acre: 5.0
2. Dollar amount (U.S.A.) per acre to be posted (fractions of acres will be prorated): \$5,500
3. The total amount of the bond will now be stated as follows: \$27,500
4. An original copy of all bond forms must be received by Macon County in order for the bond to be considered valid and before the Land-Disturbing Permit may be issued.



SureTec Insurance Company

LIMITED POWER OF ATTORNEY

Know All Men by These Presents, That SURETEC INSURANCE COMPANY (the "Company"), a corporation duly organized and existing under the laws of the State of Texas, and having its principal office in Houston, Harris County, Texas, does by these presents make, constitute and appoint

Jennifer C. Hoehn, William J. Quinn, John D. Leak, III, Wendy M. Lands, John Dufresne

its true and lawful Attorney-in-fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include waivers to the conditions of contracts and consents of surety for:

Five Hundred Thousand and 00/100 Dollars (\$500,000.00)

and to bind the Company thereby as fully and to the same extent as if such bond were signed by the President, sealed with the corporate seal of the Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney-in-Fact may do in the premises. Said appointment shall continue in force until 05/18/2017 and is made under and by authority of the following resolutions of the Board of Directors of the SureTec Insurance Company:

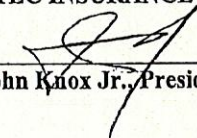
Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and of behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached. (Adopted at a meeting held on 20th of April, 1999.)

In Witness Whereof, SURETEC INSURANCE COMPANY has caused these presents to be signed by its President, and its corporate seal to be hereto affixed this 21st day of March, A.D. 2013.

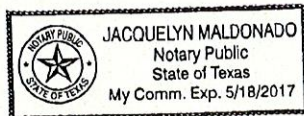
SURETEC INSURANCE COMPANY

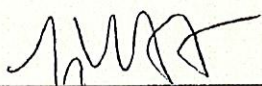
By: 
John Knox Jr., President



State of Texas ss:
County of Harris

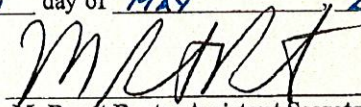
On this 21st day of March, A.D. 2013 before me personally came John Knox Jr., to me known, who, being by me duly sworn, did depose and say, that he resides in Houston, Texas, that he is President of SURETEC INSURANCE COMPANY, the company described in and which executed the above instrument; that he knows the seal of said Company; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said Company; and that he signed his name thereto by like order.




Jacquelyn Maldonado, Notary Public
My commission expires May 18, 2017

I, M. Brent Beaty, Assistant Secretary of SURETEC INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Company, which is still in full force and effect; and furthermore, the resolutions of the Board of Directors, set out in the Power of Attorney are in full force and effect.

Given under my hand and the seal of said Company at Houston, Texas this 19TH day of MAY, 2016, A.D.


M. Brent Beaty, Assistant Secretary

Any instrument issued in excess of the penalty stated above is totally void and without any validity.
For verification of the authority of this power you may call (713) 812-0800 any business day between 8:00 am and 5:00 pm CST.

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

MEETING DATE: November 13, 2018

DEPARTMENT/AGENCY: Governing Board

SUBJECT MATTER: Voting delegate designation

COMMENTS/RECOMMENDATION:

Per Alisa Cobb with the North Carolina Association of County Commissioners (NCACC), the board needs to designate a voting delegate for the Legislative Goals Conference to be held January 10-11, 2019 in Wake County. For your information, the appropriate form is attached.

Attachments 1 Yes No

Agenda Item 11F



Voting Delegate Designation Form
Legislative Goals Conference
January 10-11, 2019 (Thursday – Friday)
Raleigh Marriott Crabtree Valley – Wake County

NOTE: Please place this action on your board meeting agenda.

Each Board of County Commissioners is hereby requested to designate a commissioner or other official as a voting delegate for the 2019 Legislative Goals Conference. Each voting delegate should complete and sign the following statement and **return it to the Association no later than Friday, December 28, 2018.**

Please return form to Alisa Cobb, Executive Assistant, by email at alisa.cobb@ncacc.org or by fax at 919-733-1065.

I, _____, hereby certify that I am the duly designated voting delegate for _____ County at the North Carolina Association of County Commissioners 2019 Legislative Goals Conference.

Signed: _____

Title: _____

Article VI, Section of the Association's Constitution provides:

"On all questions, including the election of officers, each county represented shall be entitled to one vote, which shall be the majority expression of the delegates of that county. The vote of any county in good standing may be cast by any one of its County Commissioners who is present at the time the vote is taken; provided, if no commissioner be present, such vote may be cast by another county official, elected or appointed, who holds elective office or an appointed position in the county whose vote is being cast and who is formally designated by the Board of County Commissioners. These provisions shall likewise govern district meetings of the Association. A county in good standing is defined as one which has paid the current year's dues."

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

MEETING DATE: November 13, 2018

DEPARTMENT/AGENCY: Governing Board

SUBJECT MATTER: Floor at Public Safety Training Center

COMMENTS/RECOMMENDATION:

Commissioners Shields and Gillespie have requested time on the agenda to discuss issues with the floor at the Jerry Sutton Public Safety Training Center.

Attachments _____ Yes No

Agenda Item 11G

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

MEETING DATE: November 13, 2018

DEPARTMENT/AGENCY: Governing Board

SUBJECT MATTER: Consent Agenda

DEPARTMENT HEAD COMMENTS/RECOMMENDATION:

- A. **Minutes** – Consideration of the minutes from the September 11, 2018 regular meeting, the September 25, 2018 continued session and the October 9, 2018 regular meeting, per Attachment 12A.
- B. **Finance** – Consideration of budget amendments #74 through #83, per Attachment 12B.
- C. **Tax releases** – Consideration of tax releases for October 2018 in the amount of \$2,086.12, per Attachment 12C.
- D. **2019 County Holiday Schedule** – Consideration of the 2019 county holiday schedule, per Attachment 12D. The schedule again mirrors the one of the North Carolina Office of State Human Resources.
- E. **Ad valorem tax collection report** – Attachment 12E (this item does not require board approval).

COUNTY MANAGER'S COMMENTS/RECOMMENDATION:

Attachments X Yes No

Agenda Item 12 (A) (B) (C) (D) and (E)

**MACON COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 11, 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: Commissioner Beale said that the annual Macon County Fair would be held this week.

MOMENT OF SILENCE: Chairman Tate asked those in attendance to observe a moment of silence, and in doing so to remember Herb James, a former Town of Highlands employee who later served as a town commissioner there, and also a remembrance of the 9/11 terrorist attacks.

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

PUBLIC COMMENT PERIOD: **Howell Jacobs** thanked “all who came to Nantahala to meet” and later apologized to the board for “spouting my mouth off” at previous board meetings. He again noted the need for a new community building in Nantahala as well as updates to the recycling convenience center. **Barbara McRae** shared some information with the board regarding the Women’s History Trail project. Ms. McRae said the goal is to build a trail from downtown Franklin to all parts of the county to “celebrate the lives of Macon County women.” She invited the board to the opening of the trail on October 27th, and spoke of a piece of public art that would represent three matriarchal figures in the county’s history. These three women of the pioneer era are all associated with the Indian Mound in Franklin, and she gave a brief history of all three. The public art will be located near the Little Tennessee River/Indian Mound area, she said, adding it will be a long-term project that is going to cost a lot of money. She requested that the board authorize the County Manager to write a letter of support for a \$50,000 grant to help fund the project, and upon a motion by Commissioner Higdon, seconded by Commissioner Beale, the board voted unanimously to approve the request. Ms. McRae also informed

the board of a dedication ceremony for a new gateway interpretative sign as part of the Nikwasi Initiative that will be held September 22nd at the Cowee School Arts and Heritage Center, noting that the sign will be placed near the Cowee Mound. **Birgitta Kaanto** told the board she was here on behalf of the 20 residents of Silver Spruce Lane asking that the county fix the potholes on that road. However, Commissioner Beale pointed out that the county does not do road maintenance, and Emergency Services Director Warren Cabe said Silver Spruce Lane is a private road. Ms. Kaanto also asked about leash laws and nuisance laws in the county.

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

- To add an additional item under Reports/Presentations as Item 9B regarding the new Fixed Base Operator (FBO) at the Macon County Airport, per Commissioner Gillespie.

NANTAHALA COMMUNITY LIBRARY: Ed Trask, a member of the Nantahala Community and also a member of the Macon County Library Board of Trustees, presented a “Summary of Actions” report on the need for a new community library in Nantahala. A copy of his report is attached **(Attachment 1)** and is hereby made a part of these minutes. Mr. Trask reviewed a timeline of events dating back to February of 2018 and requested that the board include a new facility for Nantahala in the county’s space needs analysis and Capital Improvement Plan (CIP). Commissioner Beale noted that finding a location in Nantahala is really tough, and Commissioner Shields asked about housing the community club and library in one building, with Mr. Trask responding that would work. Commissioner Higdon stated that both are “well deserved and long past due,” adding his hope for some “congenial support” for the community club and library to work together. Commissioner Higdon said funding of this should be a top priority in the county’s CIP. No action was taken.

NEW AIRPORT FBO: Commissioner Gillespie, the board’s liaison to the Macon County Airport Authority, announced that a new Fixed Base Operator (FBO) would assume operations at the airport on October 1, 2018 and that the new contract between the FBO and the authority would be much better for the citizens of the county. The new FBO is Macon Air, LCC, a subsidiary of Franklin-based Drake Enterprises.

CLASS ACTION MATTER REGARDING PAYMENT IN LIEU OF TAXES (PILT): The County Attorney began by explaining to the board that, like Macon County, there are a number of counties throughout the United States that contain a large amount of federal land. Since federal lands cannot be taxed by local

authorities, the federal government enacted PILT, or payment in lieu of taxes. He said a lawsuit has been filed by Kane County, Utah stating that the federal government did not make full PILT payments during a three-year period from 2015 to 2017. Macon County did not receive its full payment, and is owed approximately \$13,600 or possibly more, he said. The law firm of Smith Currie is handling the suit and has inquired if the county wishes to opt-in. The County Attorney pointed out that opting-in will cost the county one-third of what it is owed should the lawsuit prevail, but if the county chooses not to opt-in, it will receive nothing. He advised the county to opt-in, and a lengthy discussion followed. Commissioner Beale said this action will be "a long road" involving millions of dollars and added his belief that the county needs to be careful of putting its name on the lawsuit. The County Attorney pointed out that the board has until the upcoming Friday (September 14th) to opt-in as set by the federal court system. Commissioner Higdon expressed his opinion that if PILT payments were stopped it would be "all the better" as "it's still tax money." Commissioner Gillespie asked Commissioner Beale about his concerns, and Commissioner Beale said that some counties don't want to be listed in the lawsuit while others question the amount of money owed. "Is this the right number, we don't know," he said, later adding that he was okay with either opting in or not. Commissioner Gillespie asked if joining the lawsuit would jeopardize future PILT payments to the county, and the County Attorney responded it would not. Commissioner Beale made a motion to opt-in on the lawsuit and to authorize either the County Manager or County Attorney to do so on behalf of the county. Commissioner Shields seconded the motion, and the board voted 4-1 to approve it, with Commissioner Higdon opposing.

FIRE STUDY RECOMMENDATION: Emergency Services Director Warren Cabe explained to the board that he was seeking some clarification on Recommendation Number 5 found in the 2017 Fire Study as it relates to fire department expenditures. He quickly noted that this item was for discussion only and no money was needed. He pointed out that nine of the county's 11 fire departments are non-profit organizations, with the other two being the municipal departments of Franklin and Highlands. Those nine departments have contracts with the county, and the current contract for services requires each department to notify the Macon County Fire Marshal's office for concurrence when any new operating expense extends beyond the current fiscal year. Mr. Cabe said he wanted the board members to think about what is specifically required to meet the definition of "concurrence." He said this was put into the contracts to cover big expenses such as new fire trucks, but questioned if a specific dollar amount should be established. With each town having an audit performed, he also questioned if an audit of each volunteer department would help meet the definition of concurrence, but noted that would require a contractual revision. He said there are no financial issues with any of the departments, but he wanted to "give you some stuff to think about."

During the following discussion, Commissioner Higdon stated that there is some \$3.4-million in tax dollars going to the fire departments and there “needs to be some accountability” and that taxpayers have the right to know every detail. He suggested dropping the concurrence term, adding that transparency is key. Mr. Cabe again reiterated that he doesn’t think there are any financial problems with any of the departments and wants to “keep it going in a positive direction” as the volunteer fire departments are “one of the best bargains we have.” There was additional discussion, and no action was taken.

REQUEST FOR EXCEPTION TO FLOOD ORDINANCE: Planning, Permitting and Development Director Jack Morgan explained that Mr. William Thomas, who resides at 82 Woodchuck Lane off of NC 28 North, was requesting an exception to the county’s flood ordinance. As background information, Mr. Morgan said that his department had received a complaint back in July and that Joe Allen, one of the county’s building inspectors, investigated and found that Mr. Thomas had filled in the floodplain and the fill needed to be removed. Mr. Morgan said Mr. Thomas came to the department stating he was unaware of the ordinance, and as a part of this property was subject to severe flooding, had made an emergency exit from the property onto NC 28. Mr. Morgan said that Mr. Thomas had no intent to harm with his actions, but that any exception must be granted by the board of commissioners and the board must determine if the request for an exception complies with the ordinance. Chairman Tate stated that what follows would be considered a quasi-judicial hearing, in which the board would receive sworn testimony from Mr. Morgan, Mr. Thomas and possibly others. The County Attorney said both men would need to be sworn and then go through the application for the exception with the board, with Mr. Thomas going first. William Thomas and Kay Thomas were both sworn in at 7:17 p.m. Mr. Thomas began by stating that they “didn’t realize we were creating a problem.” He said that water from Woodchuck Lane runs into their front yard, so they created the new driveway in order to be able to get out from the property. He said there are no neighbors immediately downstream and the closest house is “way down the river.” He added that the contractor on the project told them a permit was not needed. “For us, it’s a safety factor,” he told the board. The County Attorney explained that Mr. Thomas needed to address each point in his written request, a copy of which is attached (Attachment 2) and is hereby made a part of these minutes. Mr. Thomas then went point by point through his request. Commissioner Higdon told Mr. Thomas, “I’m not opposed to what you’ve done,” but added that it displaces floodwater and forces it on to someone else. Commissioner Higdon then questioned the County Attorney about the criteria for the exception. Mr. Thomas then answered questions from Commissioner Shields and Chairman Tate, and told them the new driveway was a work in progress that was stopped when the violation was issued. He also said the couple knew of the flood hazard when they purchased the property three years ago. Mr. Morgan was

then sworn in at 7:38 p.m. and told the board that the floodway does not exist at the location of the project, nor is it in an encroachment area. Mr. Morgan also went through each of the points in the request for an exception, and told the board, "I think they met the criteria to bring this to you." He said that the safety of the couple getting out of there during flood conditions "is more than fill dirt going in there." He said no federal or state laws have been violated, just the county flood ordinance. "I don't know of any other option they have," he told the board, but later noted it was up to the board to determine the hardship. Commissioner Beale stated that the driveway was simply for safety and noted that the driveway flooded even when the Little Tennessee River was not out of its banks. He said he would support the exception, adding there is "not enough dirt there to matter." Mr. Morgan recommended the installment of three culverts under the new driveway to help with water displacement and flow. He pointed out that unless there are conditions to allow the exception, the driveway must be taken out. Commissioner Higdon said he was "not fully prepared" for the hearing, had not had the opportunity to review the ordinance, and had not personally seen the project. He said he did not see the value of adding the culverts, and Commissioner Gillespie asked Mr. Morgan additional questions about the culverts. Chairman Tate said that he could understand the reasoning behind the exception, but was concerned about setting a precedent. Commissioner Beale said that based on the evidence and Mr. Morgan's recommendations, he would make a motion to grant the exception as requested with the conditions noted by Mr. Morgan (the addition of the culverts). Commissioner Shields seconded the motion, and following additional discussion, the board voted 3-2 in favor of the motion, with Chairman Tate and Commissioner Higdon opposing. The hearing was closed at 7:59 p.m.

PUBLIC HEALTH BILLING AND COLLECTION POLICIES AND FEE SCHEDULES: Tammy Keezer with Macon County Public Health presented the Fiscal Year 2018-19 Billing and Collection Polices and Fee Schedules for the board's consideration. She noted the need for separate votes on the policy section and the fee schedules. She pointed out that the only change in the billing guide and collection policies from the previous year was the removal of a requirement to be a Macon County resident in order to receive certain services provided under federal programs. She requested approval of the billing guide and collection policies with that change, adding that the Board of Health had approved the document on August 28th. Upon a motion by Commissioner Gillespie, seconded by Commissioner Shields, the board voted unanimously to approve the document as presented, a copy of which is attached (Attachment 3) and is hereby made a part of these minutes. Ms. Keezer then reviewed the list of items for the department's fee schedule, a copy of which is also attached (Attachment 4) and is hereby made a part of these minutes. She explained that of the nine items on the list, the first four are new, the next four involve flu vaccines and the final one is the addition of a minor surgical procedure. These

items were also approved by the Board of Health on August 28th. Upon a motion by Commissioner Gillespie, seconded by Commissioner Shields, the board voted unanimously to approve the new fee schedule as presented. Chairman Tate also recognized outgoing Public Health Director Jim Bruckner, who is retiring October 1, 2018, and asked that he come back to the October regular meeting for a formal recognition of his service to the county.

PURCHASE OF IN-CAR AND BODY CAMERAS FOR SHERIFF'S DEPARTMENT: Sheriff Robert Holland told the board members that the in-car cameras in his department's vehicles are dilapidated. After discussing replacements for years, he said he reached out to state Rep. Kevin Corbin for help, and said the county has been awarded a \$65,000 grant to purchase in-car and body cameras for the department. After further discussion, the Finance Director explained that she had prepared a budget amendment to appropriate the funds. Upon a motion by Commissioner Beale, seconded by Commissioner Gillespie, the board voted unanimously to accept the grant and to approve the budget amendment as presented. A copy of Budget Amendment Number 46 is attached (Attachment 5) and is hereby made a part of these minutes.

RESOLUTION OF SUPPORT FOR SENATE BILL 711: Commissioner Gillespie requested the board's consideration of a resolution in support of Senate Bill 711, legislation that he said is aimed at protecting farmers from nuisance lawsuits. Following additional comments from Commissioner Gillespie and discussion among the board members, upon a motion by Commissioner Gillespie, seconded by Commissioner Beale, the board voted unanimously to approve the resolution as requested, a copy of which is attached (Attachment 6) and is hereby made a part of these minutes.

CONSENT AGENDA: Upon a motion by Commissioner Higdon, seconded by Commissioner Gillespie, the board voted unanimously to approve the items on the consent agenda as follows: the following budget amendments: #38 for the Department of Social Services to allocate a \$500 foster care donation and a \$5,000 daycare subsidy allowance; #39 for Solid Waste to appropriate an insurance settlement of \$5,368 for fence replacement following a vehicle accident at the Highlands Road Convenience Center; #40 for Solid Waste to appropriate an insurance settlement of \$275 following a vehicle accident at the Highlands Road Convenience Center; #41 for the Transit Department to appropriate an insurance settlement of \$1,814 for funds received for a Transit van; #42 for the Health Department to carry forward unexpended Tobacco Grant money in the amount of \$90 from Fiscal Year 2017-18 to the current year; #43 for the Health Department to carry forward unexpended grant revenue in the amount of \$1,146 from Fiscal Year 2017-18 to the current year; #44 for the Health Department to carry forward unexpended Evergreen

Foundation grant money in the amount of \$8,767 from Fiscal Year 2017-18 to the current year; #45 for a Special Appropriation to the Cullasaja Community Association to carry forward \$11,622 in unexpended funds from Fiscal Year 2017-18 to the current year; (Copies of the amendments are attached); tax releases for the month of August in the amount of \$9,075.88; monthly ad valorem tax collections report (no action necessary).

CLOSED SESSION: Upon a motion by Commissioner Gillespie, seconded by Commissioner Shields, the board voted unanimously to go into closed session at 8:17 p.m. for the purpose of discussing the acquisition of real property under NCGS 143-318.11(a)(5). At 8:29 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.

RECESS: With no other business, at 8:30 p.m., upon a motion by Commissioner Higdon, seconded by Commissioner Shields, the board voted unanimously to recess the meeting until Tuesday, September 25, 2018 at 6:30 p.m. in order to hold a joint meeting with the Franklin Town Council and the Town of Highlands Board of Commissioners. The meeting will be held at the Old Edwards Inn Springhouse at 461 Spring Street in Highlands, NC.

Derek Roland
Ex Officio Clerk to the Board

Jim Tate
Board Chairman

**MACON COUNTY BOARD OF COMMISSIONERS
CONTINUED SESSION
SEPTEMBER 25, 2018
MINUTES**

Chairman Tate reconvened the meeting at 6:30 p.m. at the Old Edwards Inn Springhouse at 461 Spring Street in Highlands, North Carolina as recessed from the September 11, 2018 regular meeting. All board members, with the exception of Commissioner Higdon, and the County Manager and the County Attorney were present. As this was a joint meeting with the Town of Highlands Board of Commissioners and the Franklin Town Council, also present were Highlands Mayor Patrick Taylor, members of the Town of Highlands Board of Commissioners and town staff, along with Town of Franklin Mayor Bob Scott, members of the Franklin Town Council and town staff.

Commissioner Beale made a motion to go into closed session to consult with the attorney to protect the attorney-client privilege as allowed under NCGS 143-318.11(a)(3), but specifically related to a personnel matter involving the Macon County Public Health Center. The motion was seconded by Commissioner Shields, and all favored.

Commissioner Beale made a motion to come out of closed session and return to open session, seconded by Commissioner Shields, and all favored. Commissioner Beale made a motion to approve the settlement agreement with Alyssa L. Roseman as presented by the County Attorney. Commissioner Gillespie seconded the motion, and the board voted 4-0 to approve the motion.

The members of the three boards then discussed items of mutual interest and heard a presentation by Richard Delany, the president and managing director of Old Edwards Inn and Spa.

During the meeting, Chairman Tate and the County Attorney received notification from outgoing Macon County Public Health Director Jim Bruckner that the Macon County Board of Health had unanimously appointed Carmine Rocco as Interim Health Director, under terms and conditions as outlined by the County Attorney, a copy of which is attached **(Attachment 1)** and is hereby made a part of these minutes. Such appointment was subject to the Macon

County Board of Health consulting with the Macon County Board of Commissioners regarding the same and the Macon County Board of Commissioners approving such appointment. The Macon County Board of Health did consult with the Macon County Board of Commissioners regarding the same through Chairman Tate. Upon a motion by Commissioner Beale, seconded by Commissioner Gillespie, the board voted 4-0 to approve the appointment of Carmine Rocco as the Interim Health Director for the Macon County Health Department.

With no further business, the meeting was adjourned.

Derek Roland
Ex Officio Clerk to the Board

Jim Tate
Board Chairman

**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 30th, not October 31st.

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 8th instead of October 9th. 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 27th, 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 9th and again on November 16th 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,

Minutes

10.09.18

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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

MACON COUNTY BUDGET AMENDMENT
 AMENDMENT # 75

DEPARTMENT 11-4370
 EXPLANATION MOVING MONIES BACK TO DONATION ACCOUNT

ACCOUNT		DESCRIPTION	INCREASE	DECREASE
114370	569502	CAPITAL EQUIPMENT	\$ 2,620.00	
114370	556501	VEHICLE SUPPLIES	\$ 500.00	
114370	555106	CONTRACTED SERVICES	\$ 3,000.00	
114370	559700	NON CAPITAL EQUIPMENT	\$ 3,880.00	
113850	445200	SPECIAL GIFTS & GRANTS	\$ 10,000.00	

REQUESTED BY DEPARTMENT HEAD _____
 RECOMMENDED BY FINANCE OFFICER _____
 APPROVED BY COUNTY MANAGER [Signature]
 ACTION BY BOARD OF COMMISSIONERS 11/13/18 meeting
 APPROVED & ENTERED ON MINUTES DATED _____
 CLERK _____

AMENDMENT # *116*

FROM FINANCE

DEPARTMENT: SOCIAL SERVICES
 EXPLANATION: Foster Care Donation

	DESCRIPTION	INCREASE	DECREASE
<i>111-35-51-4389-25</i>	FOSTER CARE - GENERAL	\$300	
<i>111-5811-5675-10</i>	FOSTER CARE - GENERAL	\$200	

REQUESTED BY DEPARTMENT HEAD *[Signature]*

RECOMMENDED BY FINANCE OFFICER *[Signature]*

APPROVED BY COUNTY MANAGER

ACTION BY BOARD OF COMMISSIONERS *10/12/18 meeting*

APPROVED AND ENTERED ON MINUTES DATED

CLERK

MACON COUNTY BUDGET AMENDMENT

AMENDMENT # 77

DEPARTMENT: HEALTH

EXPLANATION: Received new grant monies (Mission Hospital Foundation Grant).

Need to increase budget in expenditures and revenue.

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
115128-555123	Mission Hospital Foundation Grant-Local	40,000	
113511-438559	Mission Hospital Foundation Grant-Local	40,000	

REQUESTED BY DEPARTMENT HEAD ②

RECOMMENDED BY FINANCE OFFICER Beumetball

APPROVED BY COUNTY MANAGER _____

ACTION BY BOARD OF COMMISSIONERS 11/13/18 meeting

APPROVED AND ENTERED ON MINUTES DATED _____

CLERK _____

~~MACON COUNTY BUDGET AMENDMENT~~
 AMENDMENT # 78

DEPARTMENT: HEALTH

EXPLANATION: Received new grant monies (Appalachian Regional Commission Grant).
 Need to increase budget in expenditures and revenue.

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
115128-555122	Appalachian Regional Comm - Federal	873,930	
113511-426009	Appalachian Regional Comm - Federal	873,930	

REQUESTED BY DEPARTMENT HEAD *GP*

RECOMMENDED BY FINANCE OFFICER *H. H. Hall*

APPROVED BY COUNTY MANAGER _____

ACTION BY BOARD OF COMMISSIONERS *11/13/18 meeting*

APPROVED AND ENTERED ON MINUTES DATED _____

CLERK _____

MACON COUNTY BUDGET AMENDMENT *19*

AMENDMENT # _____

DEPARTMENT 114377

EXPLANATION REPAIR FIRE SERVICES TRUCK

ACCOUNT		DESCRIPTION	INCREASE	DECREASE
113839	485000	INSURANCE	\$ 1,053.00	
114377	556503	VEHICLE REPAIRS & MAINT.	\$ 1,053.00	

REQUESTED BY DEPARTMENT HEAD _____
 RECOMMENDED BY FINANCE OFFICER *[Signature]*
 APPROVED BY COUNTY MANAGER _____
 ACTION BY BOARD OF COMMISSIONERS *11/13/18 meeting*
 APPROVED & ENTERED ON MINUTES DATED _____
 CLERK _____

MACON COUNTY BUDGET AMENDMENT

AMENDMENT # 80


DEPARTMENT: HEALTH

EXPLANATION: Received new grant monies (Opioid Consortium Grant).

Need to increase budget in expenditures and revenue.

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
115128-555124	Opioid Consortium - Federal	39,200	
113511-426010	Opioid Consortium - Federal	39,200	

REQUESTED BY DEPARTMENT HEAD 

RECOMMENDED BY FINANCE OFFICER 

APPROVED BY COUNTY MANAGER _____

ACTION BY BOARD OF COMMISSIONERS 11/13/18 meeting

APPROVED AND ENTERED ON MINUTES DATED _____

CLERK _____

MACON COUNTY BUDGET AMENDMENT
AMENDMENT # 81

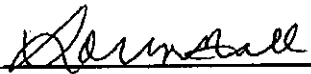
Date: 10/25/2018

DEPARTMENT: HEALTH

EXPLANATION: Need to roll unexpended grant money to current FY.

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
113840-417900	Fund Balance Appropriated	\$ 3,138.00	
115144-565013	Adult Health- Zonta Women's Health	\$ 2,277.00	
115144-565014	Adult Health- Zonta Comm. Care Clinic	\$ 861.00	

REQUESTED BY DEPARTMENT HEAD 

RECOMMENDED BY FINANCE OFFICER 

APPROVED BY COUNTY MANAGER _____

ACTION BY BOARD OF COMMISSIONERS 11/13/18 meeting

APPROVED AND ENTERED ON MINUTES DATED _____

CLERK _____

MACON COUNTY BUDGET AMENDMENT

AMENDMENT # 82

DEPARTMENT: HEALTH

EXPLANATION: Need to carry forward funds in order to refund an overpayment from the
Community Health Grant Foundation.

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
113840-417900	Fund Balance Appropriated	3798	
119900-558905	Refunds	3798	

REQUESTED BY DEPARTMENT HEAD (Signature)

RECOMMENDED BY FINANCE OFFICER (Signature)

APPROVED BY COUNTY MANAGER _____

ACTION BY BOARD OF COMMISSIONERS 11/13/18 meeting

APPROVED AND ENTERED ON MINUTES DATED _____

CLERK _____

MACON COUNTY BUDGET AMENDMENT
AMENDMENT # _____ 83

FROM: FINANCE

DEPARTMENT: TRANSIT

EXPLANATION: Complete FareCard project with Regional Partners
and finish MCT fleet parking lot (move to other side of facility)

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
11-3570-4351-31	ADTAP	\$ 182,249.00	
11-3570-4351-28	VTCLI PARTNERS	\$ 39,520.00	
11-3570-4351-08	CTP-CAPITAL	\$ 35,595.00	
11-3840-4179-00	FUND BALANCE	\$ 9,997.00	
11-4935-5560-05	COMPUTER SUPPLIES	\$ 227,811.00	
11-4935-5695-06	CAPITAL IMPROVEMENTS	\$ 39,550.00	

REQUESTED BY DEPARTMENT HEAD: Kim Angel

RECOMMENDED BY FINANCE OFFICER: Quinn Ball

APPROVED BY COUNTY MANAGER: _____

ACTION BY BOARD OF COMMISSIONERS: 11/13/18 meeting

APPROVED AND ENTERED ON MUNIS DATED: _____

CLERK: _____

**Macon County Tax Office
5 West Main Street
Franklin, NC 28734**



**Phone: (828) 349-2149
Fax: (828) 349-2564
tmcowell@maconncc.org**

TO: MACON COUNTY COMMISSIONERS

**FROM: Macon County Tax Office
Teresa McDowell, Tax Collections Supervisor**

DATE: November 5, 2018

RE: Releases

Attached please find the report of releases for real estate that require your approval in order to continue with the process of releasing these amounts from the tax accounts. Please feel free to contact me if you should have any questions regarding these transactions. The report of releases formatted in alphabetical order is attached.

AMOUNT OF RELEASES FOR OCTOBER, 2018: \$2,086.12

Tax Collections
11/01/18

Detail Transactions by Group

RTC020303
Page 1

Group Number REL*18*10

Abatement

Effective Date 10/03/18

Seq Nbr	Date	Account Number	Taxbill Number	Tax Code	Transaction Amount	Levy Amount	Penalty Amount	Addl Chgs	Interest Amount	Discont Amount	Trn Cde	Check Number	Trans Rev Descriptn
1	10/03/18	7774	18A6577652615	G01 F07	80.62- 23.30-	80.62- 23.30-	0.00 0.00		0.00 0.00				
***			CARRION, WILLIAM & SUSAN		103.92-	103.92-	0.00	0.00	0.00	0.00	R	CLERICA	
2	10/11/18	113113	18A113113.12	G01 F01	163.16- 25.48-	163.16- 25.48-	0.00 0.00		0.00 0.00				
***			CODY'S PROPERTIES LLC		188.64-	188.64-	0.00	0.00	0.00	0.00	R	CLERICA	
7	10/18/18	22558	18A22558.12	G01 F01	116.73- 18.23-	116.73- 18.23-	0.00 0.00		0.00 0.00				
***			FRANKLIN LANES		134.96-	134.96-	0.00	0.00	0.00	0.00	R	CLERICA	
8	10/18/18	119670	18A119670.07	G01 F03	488.59- 90.99-	444.17- 82.72-	44.42- 8.27-		0.00 0.00				
***			GTP INFRASTRUCTURE I LLC		579.58-	526.89-	52.69-	0.00	0.00	0.00	R	CLERICA	
9	10/18/18	119670	17A119670.07	G01 F03	488.59- 90.99-	444.17- 82.72-	44.42- 8.27-		0.00 0.00				
***			GTP INFRASTRUCTURE I LLC		579.58-	526.89-	52.69-	0.00	0.00	0.00	R	CLERICA	
3	10/18/18	68754	18A68754.01	G01 F01 L01	12.56- 1.96- 95.00-	12.56- 1.96-	0.00 0.00 0.00	95.00-	0.00 0.00 0.00				
***			HERNANDEZ, SANTIAGO		109.52-	14.52-	0.00	95.00-	0.00	0.00	R	CLERICA	
6	10/18/18	106562	18A106562.03	G01 F01 L01	4.56- 0.71- 95.00-	4.56- 0.71-	0.00 0.00 0.00	95.00-	0.00 0.00 0.00				
***			KIDD, JAMES H		100.27-	5.27-	0.00	95.00-	0.00	0.00	R	CLERICA	
11	10/24/18	37922	18A6582447344	G01 F03	87.25- 16.25-	87.25- 16.25-	0.00 0.00		0.00 0.00				
***			MCCALL, LOENELLA		103.50-	103.50-	0.00	0.00	0.00	0.00	R	CLERIC	
4	10/18/18	127823	17A127823.03	G01 F04	18.43- 2.84-	18.43- 2.84-	0.00 0.00		0.00 0.00				
***			MORRISON, DICK		21.27-	21.27-	0.00	0.00	0.00	0.00	R	CLERICL	
5	10/18/18	127823	18A127823.03	G01 F04	16.77- 2.58-	16.77- 2.58-	0.00 0.00		0.00 0.00				

Tax Collections
11/01/18

Detail Transactions by Group

RTC020303
Page 2

Group Number REL*18*10

Abatement

Effective Date 10/03/18

Seq Nbr	Date	Account Number	Taxbill Number	Tax Code	Transaction Amount	Levy Amount	Penalty Amount	Addl Chgs	Interest Amount	Discont Amount	Trn Cde	Check Number	Trans Rev Descriptn
***		MORRISON, DICK			19.35-	19.35-	0.00	0.00	0.00	0.00	R	CLERICA	
13	10/31/18	139506	18A139506.03	L01	95.00-		0.00	95.00-	0.00				
***		POKORNY, ALLEN			95.00-	0.00	0.00	95.00-	0.00	0.00	R	CLERICA	
12	10/24/18	68042	18A68042.12	G01 F01	40.53- 6.33-	40.53- 6.33-	0.00 0.00		0.00 0.00				
***		WELLS FARGO FINANCIAL LEASING			46.86-	46.86-	0.00	0.00	0.00	0.00	R	CLEARIC	
10	10/24/18	99409	18A6578087379	G01 F08	2.79- 0.88-	2.79- 0.88-	0.00 0.00		0.00 0.00				
***		WOODY, JAMES D II			3.67-	3.67-	0.00	0.00	0.00	0.00	R	CLERICA	

Tax Code Totals		Transaction Amount	Levy Amount	Penalty Amount	Addl Chgs	Interest Amount	Discont Amount
F01*18-	FR FIRE	52.71-	52.71-	0.00	0.00	0.00	0.00
F03*17-	OTTO FR	90.99-	82.72-	8.27-	0.00	0.00	0.00
F03*18-	OTTO FR	107.24-	98.97-	8.27-	0.00	0.00	0.00
F04*17-	CULL FR	2.84-	2.84-	0.00	0.00	0.00	0.00
F04*18-	CULL FR	2.58-	2.58-	0.00	0.00	0.00	0.00
F07*18-	BT FIRE	23.30-	23.30-	0.00	0.00	0.00	0.00
F08*18-	COWEE FR	0.88-	0.88-	0.00	0.00	0.00	0.00
G01*17-	GEN TAX	507.02-	462.60-	44.42-	0.00	0.00	0.00
G01*18-	GEN TAX	1013.56-	969.14-	44.42-	0.00	0.00	0.00
L01*18-	RES FEE	285.00-	0.00	0.00	285.00-	0.00	0.00

Total for Group REL*18*10 2086.12- 1695.74- 105.38-285.00- 0.00 0.00

*****	Totals By	Tax Cycle	*****
Cycle		Current	Delinquent
A		1485.27-	600.85-

Macon County



Macon County 2019 Holiday Schedule

<u>Holiday</u>	<u>Observance Date</u>	<u>Day of Week</u>
New Year's Day	January 1, 2019	Tuesday
Martin Luther King, Jr. Birthday	January 21, 2019	Monday
Good Friday	April 19, 2019	Friday
Memorial Day	May 27, 2019	Monday
Independence Day	July 4, 2019	Thursday
Labor Day	September 2, 2019	Monday
Veterans Day	November 11, 2019	Monday
Thanksgiving	November 28 & 29, 2019	Thursday/Friday
Christmas	December 24, 25 & 26, 2019	Tuesday, Wednesday, Thursday

NOTE: Follows 2019 Office of State Human Resources holiday schedule.

MACON COUNTY MONTHLY
AD VALOREM TAX COLLECTIONS REPORT

Oct-18

Month to Date	Beginning Balance	Levy Added	Less Releases	Less Write-Offs	Equals Adj Levy	Gross Payments	Less Refunds	Misc Dr/Cr	Net Payments	Outstanding Balance
General Tax	15179930.78	571082.93	-1156.15	-7	15749850.56	-1817605.66	5609.1	352.87	-1811643.69	13938206.87
Fire Districts	1951689.78	103426.57	-83.1	-1.13	2055032.12	-232558.79	0	76.17	-232482.62	1822549.5
Landfill User Fee	1585329.42	0	-190	-0.54	1585138.88	-197032.52	0	95	-196937.52	1388201.36
Totals	18716949.98	674509.5	-1429.25	-8.67	19390021.56	-2247196.97	5609.1	524.04	-2241063.83	17148957.73

Year to Date	Beginning Balance	Levy Added	Less Releases	Less Write-Offs	Equals Adj Levy	Gross Payments	Less Refunds	Misc Dr/Cr	Net Payments	Outstanding Balance	Collection Percentage
General Tax	0	27123536.57	-25617.76	-1186.77	27096732.04	-13205659.19	41097.63	6036.39	-13158525.17	13938206.87	48.56
Fire Districts	0	3259942.59	-3582.43	-180.11	3256180.05	-1434505.02	0	874.47	-1433630.55	1822549.5	44.03
Landfill User Fee	0	2553410	-1140	-8.32	2552261.68	-1164725.32	0	665	-1164060.32	1388201.36	45.61
Totals	0	32936889.16	-30340.19	-1375.2	32905173.77	-15804889.53	41097.63	7575.86	-15756216.04	17148957.73	47.88

The Collection Rate is 48.56% collected on 2018 general taxes, late listing penalties, discoveries and deferred taxes as of 10/31/18 as compared to 48.01% on 2017 taxes as of 10/31/17.

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

MEETING DATE: November 13, 2018

DEPARTMENT/AGENCY: Governing Board

SUBJECT MATTER: Appointments

COMMENTS/RECOMMENDATION:

- A. **Highlands Tourism Development Commission** – Per Bob KIELTYKA, the board is requested to consider Travis Brooks, the manager of the Lakeside Restaurant, for appointment to the Highlands Tourism Development Commissioner (TDC) as an at-large member, fulfilling the unexpired term of Laura Huerta, who is unable to complete her term on the TDC.

Attachments X Yes No

Agenda Item 13 (A)