

**MACON COUNTY BOARD OF COMMISSIONERS
DECEMBER 13, 2016
MINUTES**

Chairman Tate called the meeting to order at 6:03 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: Those in attendance watched a video from the North Carolina Association of County Commissioners (NCACC) that provided an update on recent NCACC activities. Chairman Tate said that he planned to attend the NCACC training on January 11, 2017 for new chairmen, and that the NCACC's Legislative Goals session was set for January 12-13 and would be followed by the National Association of Counties (NACo) conference on February 25 through March 1, 2017.

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

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

PUBLIC COMMENT PERIOD: **Tim Morgan** addressed the board regarding the right-of-way, the speed limit and littering along Saunders Road. Mr. Morgan referenced a letter that he wrote in 2013 to Commissioner Beale about these issues. He said drivers speed along the road, that there are problems where the right-of-way has been encroached upon, and he asked the board to have the "do not litter" signs reposted along the road and to have it enforced. Commissioner Beale responded that he had been to Mr. Morgan's house "more than once," that the State Highway Patrol had been notified regarding speeding along the road, discussed the right-of-way and signage issues and told Mr. Morgan that "littering is hard to enforce." He also noted that the state Department of Transportation sets the speed limit on secondary roads.

ADDITIONS, ADJUSTMENTS AND APPROVAL OF THE AGENDA: Upon a motion by Commissioner Higdon, seconded by Commissioner Gillespie, the board voted unanimously to adjust and approve the agenda as amended, as follows:

- To remove Item 11C under New Business (Consideration of interlocal agreement adding parties to SoNCVet project), per the County Manager.
- To amend Item 13A (Appointments), per Commissioner Shields, to consider filling three seats on the board instead of one.

PRESENTATION OF PAINTING: Lesa Postell presented a painting to the board that she described as the “Phoenix rising.” Ms. Postell said her mother painted this during the recent time of wildfires in the county when many were concerned about their homes, lives and the county’s woodlands, stating that in the aftermath, “we know that things will come back.” Chairman Tate accepted the painting on behalf of the board.

AMENDMENT TO 2016-17 MACON COUNTY/NC FOREST SERVICE AGREEMENT: North Carolina Forest Service District Forester Tim Howell appeared before the board to ask for “a mid-cycle increase to the Macon County Forest Service’s FY 2016-17 budget in the amount of \$12,000.” A copy of Mr. Howell’s letter to the board is attached (Attachment 1) and is hereby made a part of these minutes. Mr. Howell said the local operating budget was “insufficient to finish out the year.” He told the board that the forest service would also be requesting funds to help pay for a new engine in Fiscal Year 2017-18. The County Manager pointed out he was under the impression that the mid-year budget cycle adjustment was for the truck, not operating expenses. Mr. Howell said the current request was for infrastructure repairs to the forest service office on Iotla Church Road, which include a new roof, new windows and new flooring. “This extra cost, plus the historical fire season in Macon County, has left the local operating budget insufficient to finish out the year,” he wrote in his letter. The County Manager noted that the county has budgeted \$70,000 for the service in each of the last six years and that threshold has never been met, prompting Chairman Tate to say that the forest service shouldn’t be penalized for coming in under budget. Once it was clarified that Mr. Howell was asking for 40 percent of \$12,000, or \$4,800, Commissioner Beale made a motion to take the \$4,800 from contingency. It was seconded by Commissioner Shields, and following additional discussion, the board voted unanimously to approve the funding for one-time repairs to the building.

UPDATE ON 2016 ELECTION PROCESS: Board of Elections Director Debbie George told the commissioners that 17,883 county residents voted in the 2016 general election, with more than 10,000 of those voting early during the 180

hours of early voting that were available. She said the county added 2,417 new voters this year, bringing the total of registered voters to 25,903. She said 806 more people voted this year than in 2012. Following discussion of some delays and other issues, Commissioner Higdon – who requested the report from Mrs. George – said the biggest issue was the location of the election office in the basement floor of the courthouse. He described it as being “an ant hill down there” during one particularly busy time, and said that parking for voters is a serious problem, especially on court days. He said the Board of Elections needs a “much more accessible location,” and Mrs. George said her board members would like to move out of the basement. She told the commissioners that records storage is also an issue. Commissioner Higdon said this is something the commissioners need to keep in mind because “10,000 people is a lot to move through there.” This was followed by a brief discussion of security issues. No action was taken.

PRESENTATION REGARDING BROADBAND: Tim Will presented a PowerPoint presentation regarding broadband service. He began by telling the board he learned about what he called the “seven levels of communication” when he was an Army private working with the Pershing Missile System in the Black Forest of Germany in 1972. He later became the Foothills Connect Executive Director for the Rutherford County Connectivity Vision. The goal of this project was to provide “seamless county-wide coverage” with an infrastructure that will support three levels of wireless signals, including public safety, emergency management and business/residential internet. He said this project won a \$100,000 award, and that he is now working with MainSpring to provide a smartphone-enabled plan along NC 28 entitled the Nikwasi-Cherokee Cultural and Heritage Corridor. He then discussed a project involving seven of Macon County’s community clubs, noting that all seven have organized with the goal of finding a way to connect each and every one of them. This led to a lengthy discussion regarding continued research and study of the issue by a steering committee that will look at what will be needed to expand broadband throughout the county, including the financial part of obtaining funding for any such study. Chairman Tate noted the board’s consensus to continue moving forward with the project, and no formal action was taken.

UPDATE ON AGREEMENT WITH EAST COAST RISK MANAGEMENT: The County Manager explained to the board that there was one change to the agreement that the board had tentatively approved at its November 15, 2016 meeting. Instead of a \$3,000 per month charge for services by East Coast Risk Management – a figure that was negotiated with a representative who is now no longer with the firm – the monthly charge will be \$3,150 and will only include one site visit to Macon County per month, with all other travel to be paid at the current IRS mileage reimbursement rate. Following brief discussion, and upon a motion by Commissioner Higdon, seconded by Commissioner Shields, the

board voted unanimously to approve the agreement as revised, with the Human Resources Director to measure the firm's performance for the initial year and report back to the board. A copy of the revised agreement is attached (Attachment 2) and is hereby made a part of these minutes.

UPDATE ON SCC BURN BUILDING: Following an explanation by the County Manager, and upon a motion by Commissioner Higdon, seconded by Commissioner Beale, the board voted unanimously to authorize the County Manager to secure an appraisal of a 9.5-acre tract of county property located off of Siler Road that is being considered as the new site for a "burn building" for Southwestern Community College's Public Safety Training Center. Per the County Manager, the appraisal should cost no more than \$5,000 and can be paid for within existing budget funds.

UPDATE ON CARPENTER COMMUNITY BUILDING RENOVATIONS: The County Manager explained that the county will act as its own general contractor on the project, which will mean a change in the contract with Tom Ritter of Ritter Architecture. Also, the County Manager must be present at the site when any inspections are performed. With an increased workload for Mr. Ritter, his contract price has increased from \$17,000 to \$23,700, still well under the \$50,000 mark required for the exemption. Commissioner Higdon asked if there was an estimated cost for the renovation yet, with the County Manager responding that "we don't want to throw a number out there." There was discussion of closing the building for a few months following the end of the basketball season in order to complete the work in a more efficient and timely manner. Commissioner Higdon said that the building "does not meet the needs of the community now" and suggested moving the Board of Elections office there. Upon a motion by Commissioner Higdon, seconded by Commissioner Shields, the board voted unanimously to amend the agreement with Ritter Architecture and to take the additional \$6,700 from contingency at the suggestion of the Finance Director.

SETTLEMENT ON WATAUGA VISTA SALE: Tax Administrator Richard Lightner told the board that the county was the high bidder on nine of 22 tax foreclosure sales within the Watauga Vista subdivision, and with two of those possibly being assigned sales to other buyers, it leaves the county with seven parcels. With the county becoming the low bidder on those lots, it must now pay the taxes due and fees associated with each, which comes to \$9,476.27. The county must pay that amount to Ridenour & Goss, the Sylva law firm that handled the foreclosure, with all of the money to be returned to the county, minus the \$26 recording fee on each of the seven lots, or \$182. However, Mr. Lightner said the money for the check to the law firm must be appropriated. Upon a motion by Commissioner Beale, seconded by Commissioner Gillespie, the board voted unanimously to pay the \$9,476.27 with the understanding that

nearly all of it will be repaid to the county. Those properties will then likely be surplus.

PICTOMETRY FOR NEW AERIAL FLIGHT FOR 2017: Mr. Lightner began by explaining that the last time Macon County had pictometry aerials flown was in 2010, and that the county's 911 fund paid for those flights. However, a new restriction upon those funds eliminates that as a funding source going forward, even with emergency services being one of the largest users of the imagery. Compounding this issue is a new requirement that counties must have a certain number of tax appraisers based on the number of parcels in the county, which Mr. Lightner said means Macon would need to hire two more to go along with the three currently employed. He then introduced Bradley Robertson with Pictometry, who presented a PowerPoint presentation on the details of the process. He showed how his company captures images from five different angles instead of just one that looks straight down on top of the building. However, this needs to be done in "leaf off" conditions. He then outlined a program called Change Finder, which uses the imagery to reduce the time and expense of field visits because appraisers can use it to see properties that have had changes, which will help during the revaluation process. In discussing the detail of the images, he said the company will shoot 451 sectors in nine-inch resolutions, while 62 more densely populated areas will be shot in three-inch resolutions. Mr. Lightner asked the board to approve the pictometry project for flights in 2017 and 2021 with the cost to be budgeted over six budget cycles, beginning in July 2017. Also, he had planned to ask for money for an initial fee of \$8,131 in order to have the first flight flown in January and February of 2017, but said the contract has been reworked and the funds are not needed now. He asked for authorization for the County Manager to execute the contract, and this led to a lengthy discussion about the total cost of the project, which comes to \$195,232. Commissioner Gillespie asked Mr. Lightner if he had obtained other prices, and Mr. Lightner responded that this is the only company in the country that does it like this and without it, the county will be looking for two new appraisers. After further discussion, Commissioner Shields made a motion to approve the project, subject to any contract changes made by the County Attorney, and it was seconded by Commissioner Beale, with authorization for the County Manager to execute the contract. During further discussion, Commissioner Gillespie raised concerns about spending \$200,000 without some comparable pricing, telling the other board members, "You'll probably hear a lot of that out of me." This led to more discussion. The board members then voted unanimously to approve the motion as presented.

PROPERTY TAX COMMISSION SETTLEMENT: Following an explanation from Mr. Lightner, and upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve a Property Tax

Commission settlement stemming from the revaluation for Robert Riechmann in the amount of \$114.44 as presented.

BUSINESS DEVELOPMENT CENTER LEASE FOR MAJOR DISPLAY, INC.:

Economic Development Director Tommy Jenkins sought the board's approval to lease space in the county's Business Development Center to Major Display, Inc., a designer, manufacturer and seller of electronic scoreboards. Mr. Jenkins said the company had recently leased 15,000 square feet of space in the new TekTone facility, but needed additional office space in the county's center. The county's Economic Development Commission (EDC) has agreed to lease Unit E in the building at a rate of \$3 per square foot, or \$288 per month, beginning January 1, 2017. The County Attorney had prepared the appropriate resolution and lease documents, and upon a motion by Commissioner Higdon, seconded by Commissioner Beale, the board voted unanimously to approve a "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 Major Display, Inc., a North Carolina Business Corporation." A copy of the resolution (Attachment 3) and the lease (Attachment 4) are attached and are hereby made a part of these minutes.

LIAISON COMMITTEES AND APPOINTMENTS: Chairman Tate informed the board members that there are a number of "liaison committees" that he would like to change or delete. Those he wishes to remove from board assignments are as follows:

- Chamber/Promotion & Tourism
- Crosby Center
- Day Care Study Committee
- Housing Task Force
- Humane Society
- Welfare Reform
- Well Study Committee
- WNC Tomorrow
- Child and Family Council

In addition, Chairman Tate said he was considering providing the Board of Health with two liaisons instead of one, reducing the Inspections/Building Commission from two liaisons to one, and providing Macon Program for Progress (MPP) with two liaisons versus one. He also wanted to create a broadband task force. He asked the board members for their thoughts on all of this and said assignments would be given at a future meeting.

BOARD OF EDUCATION LIAISON REPORT: Commissioner Beale said that the joint Facilities Review Committee met recently and discussed updates on a number of things, and that there were two items to bring before the board tonight. The first was replacing the roof on the Highlands School gym, where a

total of \$31,828 was needed to finish the project. Commissioner Beale said “our feeling is this was a county problem,” as the original roof was improperly installed but has since been replaced with no leaks. Following discussion, Commissioner Beale made a motion to take the \$31,828 from contingency, and Commissioner Shields seconded the motion. Commissioner Higdon asked if there was any recourse against the architect who signed off on the work being completed satisfactorily, and Commissioner Beale said the firm was out of business. The board voted unanimously to approve the motion. The second item concerned the teacher supplements and the amount of \$23,415 still needed to make all of the necessary adjustments. The county has already appropriated about \$430,000 for these annual supplements, and this would raise that number to about \$454,000. The board members agreed this needed to be discussed further and will consider it again at their January budget kickoff meeting. No action was taken on this item. Commissioner Beale also noted the need to address space problems at South Macon Elementary School, which is now 15 years old.

AGENDA FORMATION: Commissioner Higdon started the discussion by asking what would be entailed in order to get the board’s regular monthly meeting agenda prepared in enough time to get it published in the local newspapers prior to the meeting. It then turned to allowing the County Manager and Finance Director to have ample time to work on items where money was involved. Commissioner Higdon said he wants to see supporting documentation when the board is asked to spend money, and that the members need time to digest the information prior to taking a vote. Chairman Tate passed out copies of the board’s rules of procedure, and the County Attorney pointed out that the document could use an update. He also commented that as to the agenda item where the board adds or deletes items to or from the agenda, “if three people say you wait, then you don’t add.” The County Attorney said that he would review the document and “point out some things” for the board’s consideration. No formal action was taken.

Note: Commissioner Beale left the meeting at 8:54 p.m.

CONSENT AGENDA: Upon a motion by Commissioner Higdon, seconded by Commissioner Shields, the board voted 4-0 to approve the items on the consent agenda as follows: the minutes of the November 15, 2016 continued session and the December 5, 2016 continued session; the following budget amendments: #80 for the Department of Social Services to allocate a \$300 donation for foster care; #81 for Solid Waste to move \$4,313 to cover the White Goods Management Grant; #82 for Economic Development to appropriate \$187,500 in revenue and expenditure for the building reuse grant for Project Tech; #83 for Economic Development to appropriate the fund balance of \$9,375 for carryforward of the building reuse grant match for Project Tech; #84 for

Economic Development to appropriate the fund balance of \$30,000 for carryforward of the OneNC grant match for Project Tech; #85 for the Department of Social Services to allocate an insurance adjustment of \$3,960 (Copies of the amendments are attached). There were no tax releases for November for the board's consideration.

APPOINTMENTS: Upon a motion by Commissioner Shields, seconded by Commissioner Gillespie, the board voted 4-0 to reappoint Joe Deal to the Macon County Planning Board for a term of three years. Upon a motion by Commissioner Shields, seconded by Commissioner Gillespie, the board voted 4-0 to appoint Tommy Potts to the Macon County Planning Board to fill the unexpired term created when Commissioner Gillespie was elected. Upon a motion by Commissioner Shields, seconded by Commissioner Gillespie, the board voted 4-0 to appoint Aaron Garrett to the Macon County Planning Board for a term of three years, replacing John Shearl. Prior to the vote, Commissioner Gillespie encouraged his fellow board members to "loosen the reins on the planning board a little bit," saying that he had watched other county planning boards conduct business and that other boards of commissioners gave their planning boards greater leeway to make recommendations and to "look 20 to 30 years down the road."

ADJOURN: At 9:06 p.m. and with no other business, upon a motion by Commissioner Higdon, seconded by Commissioner Gillespie, the board voted 4-0 to adjourn.

Derek Roland
Ex Officio Clerk to the Board

Jim Tate
Board Chairman