

**MACON COUNTY BOARD OF COMMISSIONERS  
JANUARY 21, 2014  
MINUTES**

Chairman Corbin called the meeting to order at 6:00 p.m. All Board Members, the County Manager, Deputy Clerk, Finance Director, County Attorney, members of the news media and interested citizens were present.

**ANNOUNCEMENTS:** Chairman Corbin extended a welcome to the new County Manager, Derek Roland. Chairman Corbin then recognized Rich Robb, who, along with his wife, Cate, regularly attends the meetings of the county commissioners. Chairman Corbin noted that Mr. Robb, a World War II veteran and retired police chief, recently celebrated his 90<sup>th</sup> birthday, and presented him with a small gift on behalf of the board.

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

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

**PUBLIC COMMENT:** **Dennis Conley**, a member of the county's recreation commission, voiced his support for the full development of the Parker Meadows recreation facility. Saying that he was here on behalf of the entire recreation commission, Mr. Conley urged the board to do all of the work now, not in phases. **Mike Caldwell** with the Independent Sports Association spoke to the economic benefits for communities that host softball and baseball tournaments such as those planned for the Parker Meadows facility. **Narelle Kirkland** offered recommendations for improving vehicular access to Southwestern Community College and the Macon County Public Library from U.S. 441 and Siler Road.

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

- To remove Item 8A, the presentation of the Fiscal Year 2012-13 audit report, per the County Manager.
- To add a report on the upcoming “short session” of the General Assembly, per Commissioner Beale.
- To add a presentation by Lisa Leatherman of Duke Energy as Item 10L under New Business, per Chairman Corbin.

**CHANGES TO ELECTION LAW:** Chairman Corbin recognized the three members of the Macon County Board of Elections, Luke Bateman, Sara Waldroop and Gary Dills. Mr. Bateman, who chairs the elections board, told the commissioners of some recent changes in state election law, but focused the majority of his comments on changes in one-stop absentee voting, as the time period for that event has been shortened to one week. However, Mr. Bateman said that the county must offer potential voters the same number of hours in which to vote, resulting in the prospect of 15-hour days, which he said was not feasible. Therefore, the Board of Elections requested additional funding in the amount of \$7,500 to add an additional one-stop voting location in Highlands, and Mr. Bateman presented a cost estimate for establishing the second site. Following further discussion, and upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted unanimously to fund the \$7,500 request as presented, with the money to come from contingency.

**“STAND DOWN” EVENT FOR VETERANS:** Veterans Service Officer Daylon Plemens introduced Leigh Tabor, the county’s assistant veterans service officer, who gave the board an overview of a planned one-day event known as a “Stand Down,” which will be set up like a military base camp in which homeless and at-risk veterans will be able to receive basic social services from a variety of community and government agencies. Ms. Tabor told the board she was “looking for your blessing and support” for the planned August 21, 2014 event, which will take place at the county’s Community Facilities Building and will offer services for veterans in the state’s seven westernmost counties. No action was necessary.

**UPDATE ON PARKER MEADOWS RECREATIONAL PARK:** Mike Lovoy updated the board on the status of the rough grading plan for the initial phase of development for the Parker Meadows Recreational Park, noting that the plan was ready to submit to the state for permitting. He provided the board with copies of the grading, erosion control and storm

drainage master plan, explaining that at a cost of \$65 per acre, the permit fee for the 18 acres covered by the plan would be \$1,170, adding that he needed the board's approval to move forward. Macon County Planner Matt Mason and Parks and Recreation Director Seth Adams then presented a PowerPoint presentation outlining options for the development of the park. The first option contained the items necessary to meet the requirements of the \$500,000 Parks and Recreation Trust Fund (PARTF) grant, and came in at a cost of \$623,315, leaving the county with a \$123,315 obligation. Option One included items to make the new park more user-friendly, such as an access road, a central building for bathrooms, concessions and scoring, plus lighting for two fields. The total cost for this option was \$1,104,815. Option Two included two additional adult fields with dugouts, additional lighting, a 7,000-square-foot multi-use court and a 200-space parking area. The total cost for this option was \$1,748,815. Option Three is essentially a complete build-out of the master plan and includes four youth fields, a central building for the youth fields, two more parking areas, completion of the access road and a maintenance building. The total cost for this option is \$2,989,315, but Mr. Adams pointed out that for any of the three options, the \$500,000 PARTF grant would be subtracted from the total. For example, he said the county could have a brand new park for a county investment of \$2,489,315. Commissioner Haven asked how long it would take to have the total project completed, and Mr. Adams said it could be done in about one year from this coming spring. Mr. Adams also said that having all of the field lighting done at one time would result in a savings of \$256,000. Commissioner Higdon asked Mr. Adams to provide numbers regarding annual ongoing expenses, such as new employees and projected utility costs. Mr. Adams and the board members then discussed equipment needs, landscaping and traffic flow issues. Chairman Corbin asked for options on how to pay for the park, and the Finance Director suggested looking at it as part of the upcoming budget process. Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to submit the application for the land disturbance permit for the park and to authorize the County Manager to sign it.

**ECONOMIC IMPACT OF PROPOSED RECREATIONAL PARK:**

Economic Development Director Tommy Jenkins presented a PowerPoint presentation entitled "Recreational Facility Expansion and the Economic Impact of Athletic Tournaments." After outlining the county's existing facilities and usage, Mr. Jenkins cited a number of expansion benefits, noting that while recreation facilities are built foremost to serve the local population, such facilities can have a positive impact on the area's economic development as an athletic tournament destination. He then

noted the financial impact of both a 24-team and a 48-team tournament. Following the presentation, Chairman Corbin asked the County Manager and the Finance Director to work on financial options for development of the proposed park.

**CHANGE ORDER NUMBER 15 ON LITTLE TENNESSEE RIVER/CARTOOGECHAYE CREEK TRUNK SEWER PROJECT:** Mike Waresak with McGill Associates went over the details of the change order on the Little Tennessee River/Cartoogechaye Creek Trunk Sewer Project, the 15<sup>th</sup> and final change order. The net result of the change order was a decrease of \$77,781.69 (Attachment 1), a copy of which is attached and is hereby made a part of these minutes. Commissioner Higdon and Mr. Waresak discussed another project item that fell outside of the scope of the contract with Gary's Grading and Pipeline Co., with Commissioner Higdon noting that the county is still obligated to complete it. Commissioner Beale asked when a set of "as-built" plans would be available from McGill, and Mr. Waresak said it would be within a month. Mr. Waresak and the board then briefly discussed Change Order Number 1 on the Little Tennessee River/Cartoogechaye Creek Reuse Distribution System. The net effect of this change order was a decrease in cost of \$11,797.50 and an increase of 15 days in contract time. A copy of the change order is attached (Attachment 2) and is hereby made a part of these minutes. Upon a motion by Commissioner Higdon, seconded by Commissioner Haven, the board voted unanimously to approve both change orders as presented.

**LEASE RENEWAL WITH DRAWBRIDGE SECURE NETWORK SOLUTIONS, LLC:** Tommy Jenkins and the County Attorney reviewed the terms of a one-year renewal for leased space at the county's Business Development Center to Drawbridge Secure Network Solutions, LLC. The firm is leasing Unit D at the facility at a cost of \$150 per month, with the renewal to commence on February 1, 2014 and expire on January 31, 2015. Upon a motion by Commissioner Higdon, seconded by Commissioner Beale, the board voted unanimously to adopt a resolution declaring the property in the Business Development Center to be surplus and to lease that space to Drawbridge Secure Network Solutions, LLC as presented. Copies of the resolution (Attachment 3) and of the lease agreement (Attachment 4) are attached and are hereby made a part of these minutes.

**MACON COUNTY PUBLIC HEALTH FEE SCHEDULE:** Diane Keener with Macon County Public Health presented proposed changes in the department's fee schedule on behalf of Director Jim Bruckner. She first reviewed two additions to the schedule, one for the Japanese

Encephalitis Vaccine at a cost of \$248, and the second for a MI Paste (prescription strength fluoride) at a cost of \$12. She then outlined the department's fee schedule as it applies to laboratory services provided by LabCorp, noting that the Board of Health had already given its approval to the schedule and the two additions noted earlier. Upon a motion by Commissioner Higdon, seconded by Commissioner Tate, the board unanimously approved the fee schedule changes as presented. A copy of the laboratory services schedule is attached **(Attachment 5)** and is hereby made a part of these minutes.

**PLAYGROUND AT IOTLA VALLEY ELEMENTARY SCHOOL:** Gary Brown, the principal at Iotla Valley Elementary School, asked the board to consider providing up to \$40,000 to purchase additional playground equipment at the school. Following a discussion regarding the amount of money remaining in the school's construction fund, upon a motion by Commissioner Haven, seconded by Commissioner Beale, the board voted unanimously to fund the request, not to exceed \$40,000, with the county to handle the financial details.

Chairman Corbin declared a recess at 7:42 p.m.

Chairman Corbin called the meeting back to order at 8:00 p.m.

**MACON COUNTY HISTORICAL SOCIETY REQUEST FOR VEHICLE:** Joe Hilliard, speaking on behalf of the Macon County Historical Society, asked the board to consider donating a pair of retired Macon County Transit vans to the society. The County Attorney pointed out that the county would have to determine the source of funding that was used to purchase the vans, and from there, declare them surplus prior to selling them. After further discussion, the board asked Mr. Hilliard to talk with Macon County Transit Director Kim Angel about the vehicles. No action was taken.

**FIRE CONTRACTS WITH THE TOWN OF FRANKLIN, TOWN OF HIGHLANDS AND VOLUNTEER FIRE DEPARTMENTS:** Jimmy Teem, the county's fire marshal, and the County Attorney briefed the board on the updated contracts with the two municipal fire departments (Franklin and Highlands) as well as the nine volunteer fire departments that cover the county. The County Attorney explained that the contracts were essentially updates of documents last approved in 2001, and are now "in the shape they need to be in." Commissioner Tate noted that this had been a six-month process. Mr. Teem said that he had been present for all of the recent inspections of the departments and that all were certified, although a few had minor deficiencies. Upon a motion by Commissioner

Tate, seconded by Commissioner Beale, the board voted unanimously to approve all 11 contracts with a single motion. Copies of the contracts with the Town of Franklin (Attachment 6), the Town of Highlands (Attachment 7), Burningtown-Iotla Volunteer Fire & Rescue, Inc. (Attachment 8), Clarks Chapel Fire and Rescue Department, Inc. (Attachment 9), Cowee Volunteer Fire/Rescue, Inc. (Attachment 10), Cullasaja Gorge Fire and Rescue, Inc. (Attachment 11), Mountain Valley Volunteer Fire & Rescue, Inc. (Attachment 12), Nantahala Volunteer Fire and Rescue, Inc. (Attachment 13), Otto Volunteer Fire and Rescue, Inc. (Attachment 14), Sky Valley-Scaly Mountain Volunteer Fire and Rescue Incorporated (Attachment 15) and West Macon Fire and Rescue, Inc. (Attachment 16) are attached and are hereby made a part of these minutes.

**TOPICS FOR PLANNING BOARD DISCUSSION:** Commissioner Tate asked the other board members to consider the next topic for discussion or study by the Macon County Planning Board. He suggested two possible items, the first being a study of utility systems (water and sewer) within the county and the second being a look at traffic patterns as they relate to the planned Parker Meadows recreational park. Another possible item was an update to the county's comprehensive plan. Following discussion, the board agreed by consensus to direct the planning board to review utilities within the county.

**WAIVER OF FEES FOR REACH FACILITY:** Commissioner Haven asked the other board members to discuss and consider the possibility of the county waiving inspection fees for the new REACH facility. The County Attorney advised the board that, by ordinance, the county inspections department cannot issue permits until fees have been paid, and urged the board to follow the ordinance "as is." Commissioner Beale noted that such action would also set a difficult precedent. No action was taken.

**REPORT ON LEGISLATIVE "SHORT SESSION":** Following a brief discussion on issues regarding federal payment in lieu of taxes, Commissioner Beale gave a report on the goals of the North Carolina Association of County Commissioners (NCACC) for the upcoming "short session" of the General Assembly, which will convene on May 14<sup>th</sup> and is expected to last about four to six weeks. Among those topics are the need for lottery funds to come back to the counties, the use of 911 funds, a more effective means of holding runoff elections following primaries, the redesigned mental health local management entities and the related issue of involuntary commitments.

**CONSENT AGENDA:** Upon a motion by Commissioner Beale, seconded by Commissioner Tate, the following items on the consent agenda were unanimously approved: **Minutes** – Approved the minutes from the December 10, 2013 meeting. **Budget amendments** – Approved the following budget amendments: #68 for the Health Department to appropriate \$3,400 in additional Smart Start grant revenue; #69 for the Sheriff's Office to appropriate \$890 from an insurance settlement for vehicle repairs; #70 for the Sheriff's Office to appropriate \$31,330 in federal and state forfeiture funds; #71 for the Department of Social Services to appropriate a \$150 donation for foster care; #72 for the Department of Social Services to appropriate \$172,107 in additional TANF revenues; #73 for the Department of Social Services to appropriate \$5,739 in additional SHIPP grant funds; #74 for the Department of Social Services to appropriate a \$54 donation for foster care; #75 for Soil and Water Conservation to appropriate a \$50,000 grant received from the North Carolina Department of Agriculture and Consumer Services for the Hillwinds Farm easement; #79 for Emergency Management Services to appropriate a donation of \$500 for furniture and equipment at the Nantahala Base. (Revisions with corresponding numbers attached.) **Tax releases** – Approved tax releases in the amount of \$602.83 (A computer printout of releases is on file in the Tax Department and the County Manager's office.) **Monthly ad valorem tax collection report** – No action necessary.

**APPOINTMENTS: (1) Town of Franklin appointment to the Economic Development Commission** – Upon a motion by Commissioner Haven, seconded by Commissioner Beale, the board voted unanimously to accept the Town of Franklin's recommendation to appoint Barbara McRae as the town's representative on the Economic Development Commission (EDC). **(2) Franklin Area Chamber of Commerce appointment to the EDC** – Upon a motion by Commissioner Tate, seconded by Commissioner Haven, the board voted unanimously to accept the Franklin Area Chamber of Commerce's recommendation to appoint Judy Chapman as the chamber's representative on the EDC. **(3) Economic Development Commission (EDC)** – Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to appoint Jim Bross to a three-year term on the EDC, with the term to expire January 21, 2017. **(4) Recreation Commission** – Following an explanation by the Deputy Clerk, upon a motion by Commissioner Tate, seconded by Commissioner Beale, the board voted unanimously to expand the membership of the Recreation Commission by two members, increasing the number from six to eight, with Josh Ward and Josh Cantrell to serve as the seventh and eighth members, respectively.

**CLOSED SESSION:** At 8:41 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to go into closed session for the purpose of consulting with the attorney under NCGS 143-318.11(a)(3) and to discuss personnel matters under NCGS 143-318.11(a)(6). At 8:45 p.m., upon a motion by Commissioner Haven, seconded by Commissioner Tate, the board voted unanimously to come out of closed session and return to open session. No action was taken.

**DUKE ENERGY AWARD PRESENTED TO COMMISSIONER BEALE:** Pam Bell, the outgoing president of the Franklin Area Chamber of Commerce, and other chamber members presented the Duke Energy Citizenship and Service Award to Commissioner Beale. The chamber's annual awards banquet was held at the same time as the county commission meeting, and several chamber officials came to the boardroom to join Mrs. Bell in presenting the award.

**CLOSED SESSION:** At 8:52 p.m., upon a motion by Commissioner Higdon, seconded by Commissioner Tate, the board voted unanimously to return to closed session for the reasons as stated earlier. At 10:16 p.m., upon a motion by Commissioner Higdon, seconded by Commissioner Haven, the board voted unanimously to come out of closed session and return to open session. No action was taken.

**RECESS:** At 10:17 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Higdon, the board voted unanimously to recess the meeting until Saturday, January 25, 2014 at 9 a.m. in the Cecil L. Groves Center on the Macon County campus of Southwestern Community College at 44 Siler Farm Road, Franklin, NC 28734.

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Derek Roland  
Ex Officio Clerk to the Board

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Kevin Corbin  
Board Chairman