

**MACON COUNTY BOARD OF COMMISSIONERS  
JANUARY 10, 2012  
MINUTES**

Prior to the start of the regular meeting, the board presented county service awards to a number of employees and hosted a reception for the recipients and newly-appointed Commissioner Jim Tate.

Chairman Corbin convened the meeting 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:** Commissioner Beale reminded the board of the Southwestern Commission meeting to be held in Cherokee on January 23.

**INVOCATION:** Commissioner Corbin requested that those in room observe a moment of silence.

**PLEDGE TO THE FLAG:** The pledge to the flag was recited.

**PUBLIC HEARING ON PROPOSED MACON COUNTY COMMUNITY TRANSPORTATION PROGRAM APPLICATION:** Chairman Corbin called the public hearing to order at 6:04 p.m. and noted that no one had signed up to speak in regard to this matter. He then recognized Kim Angel, Macon Transit Director, who provided an overview of the program, which provides assistance to coordinate existing transportation programs operating in the county. Mrs. Angel noted that the program primarily provides funds for administration, as well as capital items such as vehicles, adding that the county will be replacing one vehicle this year. She requested that the board consider adoption of the Community Transportation Program Resolution and enter into an agreement with the North Carolina Department of Transportation, provide the necessary assurances and the required local match, which is \$35,930. With no other comments, Chairman Corbin closed the public hearing at 6:10 p.m. Consideration of the resolution was scheduled on the agenda as Item 10A, and without objection, the board agreed to consider it following the close of the public hearing. Upon a motion by Commissioner Haven, seconded by Commissioner Koppers, the board voted unanimously to approve the resolution (Attachment 1), which is hereby made a part of these minutes.

**PUBLIC COMMENT: Victor Drummond** spoke in regard to the Macon County Airport, noting that the board had an agenda item later in the meeting regarding local funding for a paving project there. He said it was time for the board to take a careful look at airport expenditures, and asked if there was a plan to make the airport self-supporting and suggested privatizing it. **Carl Golden** voiced concerns over the discharge of weapons near his home in the Clarks Chapel community. Mr. Golden explained that he had talked to the sheriff about this, and Sheriff Robert Holland told the board that there is no violation of any law as long as the individuals discharge the weapons safely while on their own property. This was followed by discussion of a possible ordinance in regard to this matter.

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

- To remove Item 12A (Appointments to the Planning Board), per Commissioner Beale, and to delay it until the February regular meeting. In a related matter, the board also concurred with Commissioner Tate's suggestion to postpone the regular January meeting of the planning board.
- To add consideration of leasing space at the Small Business Development Center (incubator building) as Item 10I, per the County Manager.
- To add consideration of a budget amendment regarding Cowee School as Item 10J, per Commissioner Koppers.
- To add consideration of a request for an appropriation for the softball field at Macon Middle School as Item 10K, per Commissioner Beale.

**PRESENTATION ON SMOKY MOUNTAIN CENTER:** Brian Ingraham, the Area Director and CEO of the Smoky Mountain Center, along with Shelly Foreman, Director of Planning and Public Affairs, updated the board on the center's activities, particularly in preparing to become a public sector managed care organization. Mr. Ingraham said that as of July 1, 2012, the center would be responsible for managing Medicaid funds within its 15-county area, which constitutes a "major, major change for the state." Commissioner Beale, who serves on the center's board of directors, reported that the Smoky Mountain Center set the state standard on the Medicaid waiver process. No action was necessary.

**PRESENTATION ON MACON COUNTY COMMUNITY FOUNDATION UNITED GIFT FUND:** Louise Henry and Tom Ritter made a presentation

on behalf of the United Gift Fund, which has been established to help provide for the financial needs of educational, health and welfare organizations in the county. Mrs. Henry pointed out that 100 percent of the money contributed to the fund remains in Macon County to benefit non-profit organizations, as those with 501c3 status can apply for grants. The campaign is reaching out to every business in Macon County with the goal of raising \$50,000, and Mrs. Henry asked the board to “keep us in mind.” No action was taken.

**DIALYSIS CENTER UPDATE:** Commissioner Beale provided the board with an update on the planned dialysis center, explaining that the 2012 State Medical Facilities Plan includes an adjusted need determination for a new dialysis facility in the county with a minimum of seven dialysis stations. He also said that work on the Certificate of Need application would begin next week and was due on March 15, 2012, with the County Attorney noting that the deadline is absolute. No action was necessary.

**BOARD MEMBER COMMITTEE ASSIGNMENTS:** Chairman Corbin explained that he had talked with each board member individually about their assignments. In addition to some changes, he said that two new ones have been added, one for the LBJ Job Corps Center, with Commissioner Beale as liaison, and the Macon County Public Library, with Commissioner Kupperts as liaison. A complete list of the assignments for 2012 was contained in the agenda packet (Attachment 2), which is hereby made a part of these minutes.

**COMMUNITY TRANSFORMATION GRANT APPLICATION:** Macon County Public Health Center Director Jim Bruckner told the board he was requesting a letter of support for the Regional Community Transformation Grant Application, in which Macon County would serve as the lead county for Public Health (PH) Region I, which also includes Clay, Cherokee, Graham, Swain, Jackson, Haywood and Transylvania counties. Mr. Bruckner said the initial regional grant is for \$400,000, with the potential for four additional years – each at \$400,000 also. He noted that the initiative does not involve any new county funding, as the grant funds will be taking the place of existing State Health Promotion Program dollars. He pointed out that the board must accept the responsibility as the lead county, which will include the distribution of funds to the other counties, the hiring of a regional project coordinator (a new position), day-to-day fiscal monitoring and other requirements. Memorandums of Agreement (MOAs) with the other counties will need to be developed, with an action plan due by March/April of 2012. Upon a motion by Commissioner Kupperts, seconded by Commissioner Haven, the board voted unanimously to authorize the chairman to sign the letter

of support for the application (Attachment 3), which is hereby made a part of these minutes. The County Manager noted that Macon would continue with the program as long as it continued to be in the best financial interests of the county, and the County Attorney clarified matters related to the MOAs and asked about the availability of a template for those agreements.

**RIGHT-OF-WAY AGREEMENT WITH DUKE ENERGY:** The County Manager told the board that the county had previously approved a right-of-way agreement with Duke Energy concerning the new line replacement around the Siler Road/Little Tennessee River Greenway area. Due to the height of proposed new poles, there is a need to extend the guy wires a bit further out than originally expected, and the new agreement will allow the guy wires to be placed at the proper distance. Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to approve the Guy Wire Agreement as presented (Attachment 4), which is hereby made a part of these minutes.

**FUNDING FOR AIRPORT PAVING PROJECT:** The County Manager introduced Milles Gregory, chairman of the Macon County Airport Authority, who explained that the authority had been notified of an allocation of more than \$2-million in grant funds for apron improvements at the airport. This is an 80 percent Federal Aviation Administration (FAA) grant that requires a 10 percent state match and a 10 percent local match. Mr. Gregory said the authority was requesting the \$232,634 needed for the match. He discussed the overall benefits of having a general aviation airport in the county, but said that the ramp area at the airport was “all to pieces.” Richard Rhodes, a local paving contractor and also a pilot, explained why it was necessary to essentially tear up and replace the existing ramp. Mr. Gregory said the authority is working toward being self-sustaining, and Commissioner Beale requested that the fixed base operator (FBO) keep better records of takeoffs and landings. After further discussion about the use of the airport and the timeline for the project, and upon a motion by Commissioner Haven, seconded by Commissioner Koppers, the board voted unanimously to allocate \$232,634 from the county’s undesignated fund balance to match the grant funds. A copy of the award letter from the North Carolina Department of Transportation is attached (Attachment 5), and is hereby made a part of these minutes.

Chairman Corbin declared a recess at 7:44 p.m.

Chairman Corbin called the meeting back to order at 8:07 p.m.

**IMPROVEMENTS TO THE SMALL BUSINESS DEVELOPMENT**

**CENTER:** The County Manager told the board that the county is experiencing a growing demand for space in the Small Business Development Center (incubator building), and there is a need to refurbish the interior and add heating and cooling to Unit D in order to accommodate the needs of another new client. He explained that the total cost of materials and installation of the heat pump, with county staff providing the labor for the remodel, is estimated at \$10,000, and would take between 30 and 45 days to complete. At this time, the board moved to Item 10I on the agenda, and Tommy Jenkins, the county's economic development director, asked the board to consider a one-year lease of space in the incubator building to Innovative Energy Solutions, LLC at \$150 per month, with the space to be used for the sale and application of thermal coatings for medical facility environments. Commissioner Beale pointed out that the space will be used for the distribution of, not the manufacture of, this product, and upon a motion by Commissioner Haven, seconded by Commissioner Beale, the board voted unanimously to adopt a resolution declaring the property to be surplus (Attachment 6) and to approve a one-year lease of that property to Innovative Energy Solutions, LLC (Attachment 7), both of which are hereby made a part of these minutes. The board then returned to Item 10E, and upon a motion by Commissioner Beale, seconded by Commissioner Koppers, voted unanimously to allocate \$10,000 to refurbish Unit D at the Small Business Development Center.

**IMPROVEMENTS TO NEW SHERIFF'S DEPARTMENT OFFICE SPACE:**

The County Manager described how the county had recently purchased a building on the corner of Palmer Street and Patton Avenue and how two-thirds of that building is unfinished. In order to accommodate the relocation of some of the sheriff's department's personnel and to move the North Carolina Drivers License Office out of the incubator building, it will cost approximately \$150,000 to renovate the building, using county labor where feasible. Architect Tom Ritter provided the board with the schematic designs that will accommodate these needs, including the construction of a "bridge" from the ground level behind the Barrett Building that will allow direct access to the second floor, as the building will not have an elevator. The County Manager said he anticipated that the renovations would be complete by June 30 of this year, and the County Attorney pointed out that, with the planned improvements, the board should consider upgrading the title insurance on the property. Sheriff Holland said the new offices will allow him to free up space at the detention facility that could be used for staff training. Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted

unanimously to appropriate \$150,000 from undesignated fund balance to cover the cost of the renovations and to upgrade the title insurance.

**BARRETT BUILDING ELEVATOR PROJECT:** The County Manager said the renovation of the Barrett Building is progressing well and that the top floor is almost ready to house the E-911 Communications Center as well as other Emergency Service functions. Part of this renovation included the installation of an elevator. The original concept was to install a one-story lift from the main floor to the top floor that would have an outside entrance and at a cost of approximately \$60,000. However, the County Manager explained it would take an additional \$45,000 to build ramps in order to provide Americans with Disabilities Act (ADA) access to that lift. After reviewing the issue, a quote was obtained from Asheville Elevator to install an internal elevator with stops on all three floors, making the entire building ADA accessible. The quote for the elevator was \$68,497, and would require the building of an elevator shaft at a quoted cost of \$27,200, bringing the project cost to \$95,697. The County Manager recommended this course of action, with the funding to come from undesignated fund balance, although he was looking to redirect some unused 911 funds to the project as well as getting a credit for the chairlift elevator that had already been purchased. Upon a motion by Commissioner Tate, seconded by Commissioner Koppers, the board voted unanimously to allocate up to \$100,000 from undesignated fund balance for the project.

**MCCOY BRIDGE PROPOSAL:** The County Manager had received a letter from the North Carolina Department of Transportation (NCDOT) with regard to the county assuming ownership of McCoy Bridge. The letter from Brian Burch, Division Construction Engineer, offered a proposal from NCDOT to contribute \$126,000 to the county to offset some of the initial anticipated maintenance costs. A copy of the letter is attached (Attachment 8) and is hereby made a part of these minutes. Commissioner Koppers, who said that it will cost the county \$8,000 to \$10,000 annually to maintain the bridge, asked for two things from NCDOT: (1) that when the bridge comes to the county once a replacement bridge is built, that NCDOT will refurbish it to its normal standard before transferring it to the county and (2) that NCDOT will provide, in writing, its decision not to refurbish the existing bridge for use by vehicular traffic. By consensus, the board agreed with Commissioner Koppers' requests, and no action was taken.

**COWEE SCHOOL:** Commissioner Beale outlined a plan involving the use of the existing Cowee Elementary School for public use as a community center once the new Iotla Elementary School is in operation.

He summarized an opportunity to start work on a business plan for obtaining grant money for the proposed center in conjunction with the Land Trust for the Little Tennessee (LTLT), with the LTLT to pay half (\$6,000) of the cost of the business plan. He went on to explain that a new survey of the property, along with environmental studies and a title search, would need to be prepared in anticipation of the transfer of the school from the Macon County Board of Education to the county, as outlined in a resolution passed in 2009. He noted that the business plan would need to identify partners to assist with generating funds to maintain the center. It was pointed out that the Cowee School is the last school still in operation that was built under the Works Progress Administration. Upon a motion by Commissioner Beale, seconded by Commissioner Kuppers, the board voted unanimously to allocate \$12,000 from contingency for this project, with \$6,000 going toward the county's share of the business plan expense and the remaining \$6,000 toward the necessary legal work in preparation for the transfer of the property.

**APPROPRIATION FOR SOFTBALL FIELD:** Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to allocate \$8,500 from fund balance to pay for the materials for a backstop to be erected at the softball field at Macon Middle School due to safety issues, with volunteers and students from the LBJ Job Corps Center to provide the labor, and with the project contingent upon an agreement with the board of education.

**CONSENT AGENDA:** Upon a motion by Commissioner Beale, seconded by Commissioner Kuppers, the following items on the consent agenda were unanimously approved: **Minutes** – Approved the minutes from the December 13<sup>th</sup> meeting. **Budget amendments** – Approved the following budget amendments: **#101** for the Health Department, as funding for the Smart Start grant decreased to \$45,338, resulting in a number of line item changes and the need for an appropriation of \$2,530 from fund balance; **#102** for the Health Department to allocate \$11,178 in unexpected monies awarded by the state for disease control; **#103** for the Health Department to allocate \$3,838 in additional state aid to counties for operating expense; **#104** for the Health Department to allocate an additional \$1,862 in family planning funds from the state and to decrease the fund balance appropriation by that amount; **#105** for the Health Department to allocate \$10,200 in additional funding from the state for BCCCP; **#106** for the Health Department to allocate \$2,154 in additional funds from the state for the WiseWoman program; **#107** for the Health Department to allocate \$4,152 in additional funds from the state for immunizations; **#108** for Social Services to allocate a \$500

donation for Foster Care; #109 for Social Services to allocate a \$250 donation for Foster Care; #110 for the Housing Department to move budgeted funds of \$71,000 into various line items within the department; #111 for the JCPC grant to allocate an increase of \$5,466 in funding, along with a match of \$1,640 from a fund balance appropriation, to provide \$7,106 for the Barium Springs Home for Children (Hawthorn Heights); #112 for the Sheriff's Department to reallocate \$5,350 in insurance funds for a camera, as the funds were received last fiscal year but not spent. (Revisions with corresponding numbers attached.) **Tax releases** – Approved tax releases in the amount of \$1,200.50. (A computer printout of releases is on file in the Tax Department and the County Manager's office.) **NC 2-1-1** – Approved participation in the NC 2-1-1 system at an initial annual cost to the county of \$2,880 (NC 2-1-1 is similar to 911 and provides access to health and human service information and referrals).

**CLOSED SESSION:** At 9:32 p.m., and upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted unanimously to go into closed session to discuss land acquisition under G.S. 143-318.11(5), and, per the County Attorney, more specifically to discuss the possible acquisition of the so-called “co-op property” off NC 28 North for contemplation of a possible childcare operation. The County Manager announced that following the closed session, the board would recess until 8 a.m. on Saturday, January 14, 2012, where it would reconvene in the conference room of the Cecil L. Groves Center on the Macon County Campus of Southwestern Community College at 44 Siler Farm Road in Franklin, NC for a mid-year review and planning session.

**RECESS:** Upon a motion by Commissioner Koppers, seconded by Commissioner Tate, the board voted unanimously to come out of closed session at 10:27 p.m. (no action was taken) and recessed until 8 a.m. on Saturday, January 14, 2012 as noted above.

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Jack Horton, County Manager  
Clerk to the Board

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Kevin Corbin  
Board Chairman