

**MACON COUNTY BOARD OF COMMISSIONERS
NOVEMBER 10, 2015
MINUTES**

Chairman Corbin called the meeting to order at 6:01 p.m. and welcomed those in attendance. All Board Members (with the exception of Commissioner Higdon), the County Manager, Deputy Clerk, Finance Director, County Attorney, members of the news media and interested citizens were present.

ANNOUNCEMENTS: Commissioner Shields noted the upcoming Veterans Day holiday. Those in attendance watched a video from the North Carolina Association of County Commissioners (NCACC) that provided an update on recent NCACC activities.

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

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

PUBLIC HEARING ON NEW “NO WAKE ZONE”: The County Attorney explained the purpose for the hearing, stating that the board would be seeking public comment on a proposed “Resolution of Macon County Board of Commissioners Requesting that the North Carolina Wildlife Resources Commission Undertake Rulemaking for the Purpose of Establishing a New ‘No Wake Zone’ in the Lakes End Cove Area of the Nantahala Lake for the Purpose of Mitigating Hazards to Water Safety.” The County Attorney noted that there is presently a no wake zone in this area, but after an extensive effort by members of the community to find a place for people to swim, the present zone would be much safer if it were enlarged. He also pointed out the assistance of Jack Morgan, the county’s director of planning, permitting and development, on this project. He also referenced several other documents in connection with the resolution, and stated that the public hearing was required. With that, Chairman Corbin opened the public hearing at 6:19 p.m. and said that four

individuals had signed up to speak. The first was **Daniel Lopp**, who said that he brought “a crowd” with me and expressed his appreciation to the board for “pushing this on through,” adding, “I just wanted to say thank you.” **Steve Lopp**, speaking on behalf of Lake’s End Marina, told the board that this location is the only public access for swimming on the lake. He said the current no wake zone extends approximately 50 yards from the corner of the marina’s dock, while the proposed regulations would move it 200 to 250 yards from the dock, creating a safer area. **Don Libby** told the board that he represented five homes on Ashley Lane, which have views of the cove in question, and that he has seen it “grow up,” adding that there are now twice as many homes on the lake since he arrived. While it is relaxing to watch the boats go by, he said it isn’t when someone is threatened. “We appreciate it very much if you can find a way to do this,” he concluded. **Mark Ray** with the North Carolina Wildlife Resources Commission (NCWRC) said that 90 percent of those who boat on Nantahala Lake rent a boat at the lake and are non-boaters, and the expanded no wake zone would give him and other NCWRC officers the opportunity to stop people and explain the purpose of the zone. “This is an ideal thing to pass in my opinion,” he told the board, adding that it will be beneficial to swimmer safety. He said the proposed signs are “perfect for the area.” The signs will cost the county \$220, but enforcement of the no wake rule falls to the NCWRC and will affect only this portion of the lake. Commissioner Beale pointed out that the board has “worked for three years to find a swimming place in Nantahala.” With no one else signed up to speak, Chairman Corbin closed the public hearing at 6:32 p.m. Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to adopt the resolution as presented, a copy of which is attached (**Attachment 1**) and is hereby made a part of these minutes. Referring to the numerous documents that are required as part of the county’s application, the County Attorney said that it will be “a fairly lengthy process” before the new wake zone actually goes into effect.

PUBLIC COMMENT: No one signed up to speak.

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

- To add a presentation by Mike Barres regarding Teen Challenge of the Smokies as Item 8B under Reports/Presentations, per Chairman Corbin.
- To add consideration of a site access agreement with Verizon Wireless as Item 9E under Old Business, per the County Manager.
- To remove the Fiscal Year 2015-16 Billing and Collection Policies and Fee Schedules for Macon County Public Health (Item 11D) and the

Environmental Health Fee Schedule (Item 11E) from the Consent Agenda, per the County Manager.

- To remove the appointment to the Macon County Planning Board (Item 12B), per the County Manager.

GOLDEN LEAF FOUNDATION GRANT OPPORTUNITIES: Chairman Corbin recognized Lynda Parlett, the executive director of the Office of Institutional Development at Southwestern Community College (SCC). She presented the board members with a packet of information regarding two grant opportunities from the Golden LEAF Foundation. One is a Community Based Grantsmaking Initiative that would request \$571,887 for Macon County Schools with a required 20 percent match of \$192,028. The other is an Open Grants Program requesting \$200,000, with no local match required, to begin development of a training lab at Franklin High School and STEM (Science, Technology, Engineering and Math education) teacher professional development in Macon County Schools. Ms. Parlett went over the details of each grant and answered a number of questions from the board and staff. Much of the discussion centered on creating and sustaining the STEM coordinator position in future years, and there was also some confusion over the local match amount for the Grantsmaking Initiative. Tommy Jenkins, the county's economic development director, told the board that Macon County must address STEM education in some form in order to remain competitive. Ms. Parlett said that letters of intent have been developed for both grants, and that the Golden LEAF Foundation would be looking for commitment letters from the county once final decisions on the awards are made either next month or in early 2016. No action was taken.

TEEN CHALLENGE OF THE SMOKIES: Chairman Corbin recognized the Rev. Mike Barres, the executive director of Teen Challenge of the Smokies, who made a presentation on the addiction recovery program offered by the organization. Rev. Barres explained that the local program is one of 200 in the United States, and is a 12-month, faith-based solution to the addiction epidemic. He said the program features "lots of practical elements," adding that those who are in it need to do more than stop drinking or using drugs, and are taught how to handle anger, disappointment, etc. He told the board that Teen Challenge has signed a lease with Camp Cullasaja, which would shift the program from an outreach and referral center to a 12-month residential program for men that could open as early as February next year. Rev. Barres said that Phil Sanders, who grew up in Franklin and is a Teen Challenge graduate, would be the new program director. Rev. Barres concluded by telling the board that he was not asking for anything, but he "just wanted you know we are here," and expressed his appreciation for the board's action to display the national motto "In God We Trust" on the courthouse. No action was taken.

SOLID WASTE ORDINANCE AND AGREEMENTS: The County Attorney briefly reviewed the action taken by the board at its October 13th regular meeting, at which time the commission adopted three documents related to solid waste. Because that action involves a franchise, the County Attorney explained that a second vote is required to finalize, and he asked Chairman Corbin to entertain a motion to approve all three documents again, and to have them executed following the close of the meeting, noting that one motion to approve all three would suffice. Upon a motion by Commissioner Shields, seconded by Commissioner Beale, the board voted unanimously to approve the following:

- An “Ordinance Granting Exclusive Franchise Agreement to J&B Disposal, Inc. for the Collection and Disposal of Solid Waste.”
- An “Exclusive Franchise Agreement for the Collection and Disposal of Solid Waste Outside of the Incorporated Cities and Towns Within Macon County, North Carolina.”
- An “Agreement to Collect and Haul Solid Waste from County Convenience Center Sites and Highlands Transfer Station and to Maintain County Convenience Center Sites.”

All three documents are attached (respectively as Attachments 2, 3 and 4) and are hereby made a part of these minutes. Bonita Hamstra with J&B Disposal expressed her thanks to the board.

Chairman Corbin declared a recess at 7:32 p.m.

Chairman Corbin called the meeting back to order at 7:47 p.m.

CHANGE ORDERS FOR SCHOOL RENOVATION PROJECTS: Terry Bell with Macon County Schools presented requests for change orders for renovation projects at two schools, beginning with Highlands School. Mr. Bell explained that the one change order for Highlands involved “VCT adhesive for the science addition” at a cost of \$4,758.32, bringing the total expenditures for all of the change orders to date to \$15,492.10. With \$32,549.99 remaining in the project’s contingency fund, Mr. Bell requested approval of \$21,418.01 to be spent on new furniture for the computer lab, which led to further discussion. Upon a motion by Commissioner Shields, seconded by Commissioner Tate, the board voted unanimously to approve the change order as presented as well as the expenditure for the furniture as presented. A copy of the change order log is attached (Attachment 5) and is hereby made a part of these minutes. Next, Mr. Bell addressed change orders for the Union Academy project, which involved three items that came to a net addition of \$628, bringing the total of the change orders to date to \$14,235.24, leaving a project contingency balance of \$12,726.76. Mr. Bell told the board that this project is approximately three weeks behind schedule, but that the contractor has presented a new schedule that would have the project completed on December 23rd as originally

anticipated. Following a discussion regarding liquidated damages, and upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve the change orders as presented. A copy of the change order log is attached (Attachment 6) and is hereby made a part of these minutes.

VERIZON WIRELESS SITE ACCESS AGREEMENT: The County Manager told the board that Cellco Partnership, doing business as Verizon Wireless, was seeking approval of two site access agreements with the county, which would allow the company's engineers to determine the suitability of sites on top of the county courthouse and at the Macon County Public Library as potential locations for cell towers. He added that approval of the site access agreements would not obligate the county to allow towers at these sites, and he requested that the board authorize him to execute the agreements, following review by the County Attorney. Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to authorize the County Manager to enter into the site access agreements as discussed, subject to changes by the County Attorney.

AUTHORIZATIONS FOR SOLID WASTE REVIEW COMMITTEE: Solid Waste Director Chris Stahl asked the board for authorization to allow a review committee – consisting of him, the County Manager and Finance Director – to (1) review and negotiate a contract with a Construction Quality Assurance (CQA) firm and (2) to review and approve contractors that meet the pre-qualification requirements to bid on the landfill construction project and (3) to negotiate with McGill Associates for a construction administration contract for the project. Mr. Stahl explained that the committee would not be making decisions but would make recommendations to the commissioners in either December or January of 2016. Following further explanation from Mr. Stahl, and upon a motion by Commissioner Tate, seconded by Commissioner Shields, the board voted unanimously to grant the authorizations as requested.

INTERLOCAL AGREEMENT WITH THE TOWN OF FRANKLIN: The County Attorney explained the details of the interlocal agreement with the Town of Franklin, as the leachate lagoon for the county landfill is located on town property. He noted that the previous agreement has expired, that the agreement is “mutually advantageous” to both parties and that the town's Board of Aldermen has given its approval to the document. Upon a motion by Commissioner Tate, seconded by Commissioner Shields, the board voted unanimously to approve the agreement, including its accompanying exhibits (A, B, C and D), and it is attached (Attachment 7) and is hereby made a part of these minutes.

RESOLUTION REGARDING NATIONAL HUNGER AND HOMELESSNESS

AWARENESS WEEK: Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to adopt “A Resolution Proclaiming November 14-22, 2015 as National Hunger and Homelessness Awareness Week in Macon County, North Carolina.” Chairman Corbin read into the record the last paragraph of the resolution, which reads in part “...that the Macon County Commission encourages all citizens to recognize that many people do not have food, security and housing, and need support from citizens, and private/public nonprofit service entities.” A copy of the resolution is attached (Attachment 8) and is hereby made a part of these minutes.

RATIFICATION OF E-MAIL POLL: Following an explanation by Chairman Corbin, and upon a motion by Commissioner Tate, seconded by Commissioner Beale, the board voted unanimously to ratify an October 14, 2015 e-mail poll of the board by Chairman Corbin asking the board to declare October as Domestic Violence Awareness Month in Macon County.

CONSENT AGENDA: Upon a motion by Commissioner Tate, seconded by Commissioner Beale, the following items on the consent agenda were approved unanimously: **Minutes** – Approved the minutes from the October 13, 2015 regular meeting. **Budget amendments** – Approved the following budget amendments: #63 for the Department of Social Services to allocate a \$300 foster care Christmas donation; #64 for the Department of Social Services to allocate \$135,110 in additional TANF funds; #65 for the Department of Social Services to allocate \$293 in additional SHIPP funds; #66 for Public Health to appropriate \$600 for a new diabetes prevention program; (Revisions with corresponding numbers attached). **Tax releases** – Approved tax releases in the amount of \$2,530.82. (A computer printout of releases is on file in the Tax Department and the County Manager’s office). **2016 Holiday Schedule** – Approved the holiday schedule for 2016 as presented. **Monthly ad valorem tax collection report** – No action necessary.

APPOINTMENTS: (1) Community Advisory Committee for Long Term Care:

Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to appoint George Taylor to fill the seat on the Community Advisory Committee for Long Term Care created by the resignation of Merritt Fouts.

(2) Planning Board: The board agreed by consensus to table action in regard to filling an open seat on the Planning Board. Mark West, whose term on the board is expiring, is not seeking reappointment.

(3) Franklin/Nantahala Tourism Development Commission (TDC): Upon a motion by Commissioner Shields, seconded by Commissioner Beale, the board voted unanimously to reappoint Connie Grubermann and Katie LaFlamm and to appoint Patrick Graham to replace Vince West as one of the two Nantahala representatives on the TDC.

CLOSED SESSION: At 8:32 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to go into closed session for the purpose of considering the purchase of real estate as found in North Carolina General Statute 143-318.11(a)(5). At 8:57 p.m., upon a motion by Commissioner Tate, seconded by Commissioner Shields, the board voted unanimously to come out of closed session and return to open session. No action was taken.

RECESS: AT 8:58 p.m., upon a motion by Commissioner Tate, seconded by Commissioner Shields, the board voted unanimously to recess the meeting until Monday, November 16, 2015 at 6 p.m. at the Highlands Biological Station, 266 N. 6th Street in Highlands, NC, for the purpose of holding a joint meeting with the Town of Highlands Board of Commissioners and the Town of Franklin Board of Aldermen.

Derek Roland
Ex Officio Clerk to the Board

Kevin Corbin
Board Chairman