

**MACON COUNTY BOARD OF COMMISSIONERS
NOVEMBER 18, 2014
MINUTES**

Chairman Corbin called the meeting to order at 6:01 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 recognized Commissioner Haven for his four years of serving on the board. He announced that there would be a reception in honor of Commissioner Haven and Commissioner-elect Gary Shields on December 1st, and invited Commissioner Haven and his family to attend. Stating that it was “appropriate to honor him tonight,” Chairman Corbin presented Commissioner Haven with “a little gift for you” – a Michael Rogers print.

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: **Monica Collier** addressed the board regarding the New Hope Center, a community outreach ministry aimed at helping the homeless in Macon County. She noted that the center, which will be located at 123 West Palmer Street in Franklin, will reach out to the approximately 200 homeless people in the county. Ms. Collier said there have already been objections to the opening of the shelter because of “who this will attract.” She explained that \$63,600 is needed in order to open the doors of the center, which will be a Biblically-based non-profit organization that will provide a “structured approach” to help rehabilitate individuals who need a second chance. The first step is to fulfill needs of shelter, food and warmth, and the second to make those individuals employable through vocational training. They will have two

days to join the program or they must go elsewhere, she explained, adding that background checks will be conducted through the Macon County Sheriff's Office. **Chris Hanners** spoke on behalf of the South Macon Elementary School PTO and asked the board for financial assistance with mulch that the PTO had purchased for the school's playground. He asked that the county split the \$2,132.33 cost with the PTO, requesting \$1,066.16. Commissioner Beale, one of the two board members who are liaisons to Macon County Schools, asked that the board take the request under advisement pending an upcoming meeting with school officials. **Terry Bell** with Macon County Schools told the board that four of the county's schools – Iotla, Cartoogechaye, Macon Early College and Union Academy – were in need of defibrillators. He explained that the school system is seeking to purchase the Zoll brand of the devices that are carried on Macon County ambulances. The cost is \$1,351.46 per unit, and he asked the board's consideration of purchasing the four defibrillators. This item will also be discussed when the commission liaisons meet with school officials, and that meeting is tentatively scheduled for January 5, 2015.

PUBLIC HEARING ON MACON COUNTY COMMUNITY TRANSPORTATION PROGRAM APPLICATION: Chairman Corbin called the hearing to order at 6:20 p.m. and noted that no one from the public had signed up to speak. He recognized Kim Angel, Macon County Transit Director, who explained that this program provides funding that supports the transit service's administrative operations. In this particular application, the county is seeking \$189,531 in administrative funding, to be matched by a 15 percent contribution from the county (\$28,431). Also, the application seeks \$264,265 for capital expenditures, such as vehicles, which would be matched at 10 percent (\$26,427) by the county. Mrs. Angel noted that this funding would be for the upcoming fiscal year (2015-16), and added that the department has four vehicles that need to be replaced, based on mileage. Chairman Corbin closed the hearing at 6:27 p.m. Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to approve the Community Transportation Program Resolution (Section 5311) as presented for FY 2016, a copy of which is attached **(Attachment 1)** and is hereby made a part of these minutes.

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 add discussion of a grant opportunity with Duke Energy regarding the Parker Meadows Recreational Complex as Item 8B under Reports/Presentations, per the County Manager.

- To remove four items under Old Business (9.A.6, 9.A.7, 9.A.8 and 9B) relating to the development of the Parker Meadows Recreational Complex, per the County Manager.
- To remove Item 10E (Request for funding to support LIWAP through December 2014) under New Business, per the County Manager.
- To move Item 12A and 12B (Appointments) up on the agenda before Old Business, per the County Manager.
- To add a report on personnel as Item 8C under Reports/Presentations, per Commissioner Tate.
- To add Budget Amendment #78 to the Consent Agenda under Item 11B, per the Finance Director.
- To move Item 9C (Discussion regarding gift of property from R.S. Jones, Jr.) up on the agenda and to address this item immediately following approval of the agenda, per the County Attorney.

DISCUSSION REGARDING GIFT OF PROPERTY FROM R.S. JONES, JR.:

The County Attorney urged the board to accept a gift of a .66-acre of property, located off of the Highlands Road in Franklin adjacent to the Little Tennessee River Greenway, from R.S. Jones, Jr. and his wife, Melissa. The County Attorney had prepared a resolution accepting the deed of gift and also to express gratitude and appreciation to the couple. The County Attorney noted that Mr. Jones served as county attorney for more than 35 years, and along with his wife as his assistant, “worked tirelessly” and “took very good care of this county.” Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to approve a “Resolution of the Macon County Board of Commissioners to Accept Deed of Gift and to Express Gratitude and Appreciation to R.S. Jones, Jr., and Wife, Melissa O. Jones.” The County Attorney noted there was one minor correction to a name in the resolution, a copy of which is attached (Attachment 2) and is hereby made a part of these minutes. Mr. Jones then presented the deed for the property to Chairman Corbin and expressed apologies for his wife being unable to attend.

REQUEST FOR LETTER OF SUPPORT FOR NCDOT BIKE AND PEDESTRIAN

GRANT: Justin Setser, the planner and land use administrator for the Town of Franklin, appeared before the board seeking a letter of support from the county for a comprehensive bicycle and pedestrian transportation plan for the town. He explained that the town is seeking a \$36,000 grant, with a \$3,600 match from the town, to do the plan, which would take approximately 18 months to complete. He said the town has received other letters of support and that the deadline for the grant application is December 4, 2014. Mr. Setser noted there are no bicycle lanes in the town limits, which has 12.5 miles of sidewalk, some of which is in disrepair. Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to approve a letter of

support for the project, a copy of which is attached (Attachment 3) and is hereby made a part of these minutes.

DUKE ENERGY GRANT OPPORTUNITY: Doug Johnson with the Macon County Soil & Water Conservation District explained to the board that he had learned of a grant opportunity through Duke Energy that would provide \$29,257 for a canoe access at the new Parker Meadows Recreational Complex, and that he was seeking a letter of support from the county for the project. No county funding would be involved, he said, adding that the deadline for the application was Thursday, November 20th, and that he had already prepared the application. Upon a motion by Commissioner Tate, seconded by Commissioner Haven, the board voted unanimously to authorize the County Manager to write a letter in support of the grant.

PUBLIC HEARING ON SECTION 5310 ELDERLY INDIVIDUALS AND INDIVIDUALS WITH DISABILITIES PROGRAM: Chairman Corbin called the hearing to order at 6:45 p.m. and noted that no one from the public had signed up to speak. He again recognized Kim Angel, Macon County Transit Director, who explained that this program provides funding that supports the transit service's operations. In this application, the county is seeking \$153,750 in operating funding, which requires a 50 percent match that Mrs. Angel explained would come from funds from contracts, with no county funds being used. Chairman Corbin closed the hearing at 6:47 p.m. Upon a motion by Commissioner Haven, seconded by Commissioner Tate, the board voted unanimously to approve the Public Transportation 5310 Program Resolution as presented for FY 2016, a copy of which is attached (Attachment 4) and is hereby made a part of these minutes.

PERSONNEL REPORT: Commissioner Tate pointed out that December 16, 2014 would mark Derek Roland's first year of service as County Manager, and expressed the board's desire to "reward Derek for his efforts" by providing him with an employment agreement. Commissioner Tate spoke of Mr. Roland's desire to be the County Manager and that he had been "thrown into the fire" and had handled it with style and class. Mr. Roland told the board that "this does come as a surprise," and told the board that he would be "forever grateful for the opportunity." Chairman Corbin pointed out that without a contract, Mr. Roland was essentially employed on a month-to-month basis. The County Attorney said the board could approve the employment agreement as an offer to which Mr. Roland could respond, and that it would require a pre-audit by the Finance Director. Upon a motion by Commissioner Haven, seconded by Commissioner Beale, the board voted unanimously to extend an offer of an employment agreement to Mr. Roland, which Commissioner Tate noted would provide a six-month severance package and would be effective immediately if

accepted. A copy of the Employment Agreement is attached (Attachment 5) and is hereby made a part of these minutes.

APPOINTMENTS: (1) Macon County Heritage Center: Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to appoint Lynne Garrison to the board of the Macon County Heritage Center at the Historic Cowee School. **(2) Board of Health:** Upon a motion by Commissioner Higdon, seconded by Commissioner Haven, the board voted unanimously to appoint Paula Ledford to fill the remaining term of Emily Porter Bowers on the Macon County Board of Health. Ms. Ledford will be filling a general public slot on the board.

PARKER MEADOWS RECREATIONAL COMPLEX:

- (1)** Upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted unanimously to ratify action taken via an e-mail poll conducted by the County Manager on October 23rd. The topic of the e-mail was the use of county maintenance staff to perform work on the Parker Meadows Recreational Complex project in the following five areas: (1) Form and pour the monolithic slab for the maintenance building; (2) Erect and construct the steel building kit for the maintenance building, including plumbing and electrical for one restroom and interior lighting; (3) Install the septic system for the maintenance building (this item is specially addressed later in the meeting); (4) Install the water line and the electric line from the maintenance building to the newly drilled well; and (5) Improve the existing driveway from Maxwell Home Road to the maintenance building.
- (2)** Upon a motion by Commissioner Higdon, seconded by Commissioner Haven, the board voted unanimously to ratify action taken via an e-mail poll conducted by the County Manager on November 4th. The topic of the e-mail was approval of a change order to the Penland Grading contract in the amount of \$33,500. Per the County Manager, the change order actually saves the county \$38,500 as the decision was made to seed the ball fields instead of using sod, which was initially budgeted at a cost of \$72,000.
- (3)** Based upon the recommendation of Larry Lackey, Jr. with CEtech Associates, PA, and upon a motion by Commissioner Higdon, seconded by Commissioner Haven, the board voted unanimously to award the contract for field lighting installation to Haynes Electric in the amount of \$203,850 and to authorize the County Manager to execute the contract.
- (4)** Based upon the recommendation of Larry Lackey, Jr. with CEtech Associates, PA, and upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to award the contract for the onsite wastewater treatment system to Vinson and Anderson Grading in the amount of \$41,899 (which includes \$900 for

the drainfield installation at the new maintenance building) and to authorize the County Manager to execute the contract.

- (5) County Planner Matt Mason provided the board with two options that he had drawn depicting the proposed gravesite monument to be erected at the park, the first of which was “more involved” and detailed than the second. Upon a motion by Commissioner Haven, seconded by Commissioner Tate, the board unanimously agreed to proceed with Option 1 for the landscape design at the burial site, pending Mr. Mason obtaining informal bids on the cost of going with Option 1 versus Option 2.
- (6) In a letter from Larry Lackey, Jr., the engineer explained that, “As you are aware, a significant cultural resource site was discovered at the adult ball fields and adjustment of the entire site was required to mitigate/avoid disturbance. The youth fields were also rotated and relocated/redesigned to minimize potential impacts to cultural resource sites. The design as agreed upon with staff includes terracing the ball fields by the use of a concrete retaining wall. Penland has provided a proposed cost of \$103,338.” The County Manager requested the board’s approval of a change order to the contract with Penland Grading in that amount, and upon a motion by Commissioner Tate, seconded by Commissioner Haven, the board authorized the County Manager to execute the change order with Penland Grading in the amount of \$103,338 as presented.

PUBLIC HEARING ON MACON COUNTY APPALACHIAN DEVELOPMENT TRANSPORTATION ASSISTANCE PROGRAM (ADTAP): Chairman Corbin called the hearing to order at 7:22 p.m. and noted that no one from the public had signed up to speak. He again recognized Kim Angel, Macon County Transit Director, who explained that this is a new grant opportunity and that she was uncertain that reauthorization of it would occur. She explained that she is requesting \$37,000 in operating funds, which requires a 50 percent match that would come from other sources, along with a request for \$274,470 in capital funding, which requires a 20 percent match of \$54,894. However, she noted that the project could include the purchase of QR readers in conjunction with the veterans transportation grant, and with other counties involved, Macon’s share of the match would come to \$10,979. With no guarantee that the county will receive the funding, Mrs. Angel asked for permission to apply. Chairman Corbin closed the hearing at 7:34 p.m. Upon a motion by Commissioner Haven, seconded by Commissioner Beale, the board voted unanimously to approve the Appalachian Development Transportation Assistance Program (Section 5311) Resolution as presented for FY 2016, a copy of which is attached **(Attachment 6)** and is hereby made a part of these minutes.

RESOLUTION AND LEASE FOR LUXURY THERAPEUTICS, INC.: Following a brief explanation from Macon County Economic Development Director Tommy Jenkins, and upon a motion by Commissioner Haven, seconded by Commissioner Tate, the board voted unanimously to adopt 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 Luxury Therapeutics, Inc., a North Carolina Business Corporation.” The lease for space in the county’s Business Development Center will commence on November 1, 2014 and expire on October 31, 2015 and will be at a rate of \$225 per month. A copy of the resolution (Attachment 7) and the accompanying lease (Attachment 8) are attached and are hereby made a part of these minutes.

RESOLUTION AND LEASE FOR FOREX CURRENCY TRADE ADVISORS, LLC: Following an explanation from Macon County Economic Development Director Tommy Jenkins, and upon a motion by Commissioner Tate, seconded by Commissioner Higdon, the board voted unanimously to adopt 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 Forex Currency Trade Advisors, LLC.” The lease for space in the county’s Business Development Center will commence on August 1, 2014 and expire on July 31, 2015 and will be at a rate of \$390 per month. A copy of the resolution (Attachment 9) and the accompanying lease (Attachment 10) are attached and are hereby made a part of these minutes. Mr. Jenkins pointed out that there is only one open unit in the center.

FUNDING OF MOBILITY COORDINATOR POSITION TO BE SHARED WITH JACKSON COUNTY: Mrs. Angel told the board that in an effort to reduce cost and maximize benefits to passengers and agencies who use transportation services in Western North Carolina, she was seeking commitment to participate in sharing funding for a mobility coordinator position to work with both Jackson County Transit and Macon County Transit. She explained that the person employed in this position will be a Jackson County employee and as such will receive pay and benefits under Jackson County. Jackson County will be responsible for submitting the grant application that will fund this position. In addition, Jackson County will be responsible for all reports and claims that must be submitted in order to receive grant funds. Since this is a grant funded position, she was requesting that Macon County commit to participate in one-half of the required 10% local match portion, with the total amount being requested not to exceed \$2,500, which she told the board that she could absorb within her operating budget next year. An interlocal agreement would need to be in place, and a letter of support was needed by Friday, November 21st. Upon a motion by Commissioner Beale, seconded by Commissioner Tate,

the board voted unanimously to have the County Manager provide the necessary letter of support.

COMMISSIONER BEALE EXCUSED: At 7:46 p.m., Commissioner Beale was excused from the remainder of the meeting so that he could travel to Raleigh for a meeting the next morning.

REIMBURSEMENT RESOLUTION FOR IMPROVEMENTS TO SOLID WASTE LANDFILL: The Finance Director asked the board to consider a resolution that would allow the county's Solid Waste Fund to reimburse itself for any landfill expansion expenditures incurred up to 60 days prior to this meeting. Upon a motion by Commissioner Tate, seconded by Commissioner Higdon, the board voted 4-0 to adopt a "Resolution of the County of Macon, North Carolina Declaring the Intent of the County of Macon, North Carolina to Reimburse Itself for Capital Expenditures Incurred in Connection with Certain Improvements to the Macon County Municipal Solid Waste Landfill from the Proceeds of a Certain Special Obligation Bond to be Executed and Delivered in Calendar Year 2015 or 2016." A copy of the resolution is attached (Attachment 11) and is hereby made a part of these minutes.

APPROVAL OF WEATHERIZATION CONTRACT: The Finance Director requested that the board consider approval of Budget Amendment #79, which includes revisions affecting three separate weatherization grants resulting in an overall decrease of \$2,104, bringing the total contract amounts from \$158,721 to \$156,617. Upon a motion by Commissioner Tate, seconded by Commissioner Haven, the board voted 4-0 to approve the budget amendment as presented, a copy of which is attached (Attachment 12) and is hereby made a part of these minutes.

CONSENT AGENDA: Upon a motion by Commissioner Higdon, seconded by Commissioner Haven, the following items on the consent agenda were approved 4-0: **Minutes** - Approved the minutes from the October 14 and October 28, 2014 meetings. **Budget amendments** - Approved the following budget amendments: #70 for Macon County Transit to allocate an insurance reimbursement of \$3,691; #71 for the Department of Social Services to allocate \$393 from a Senior Services General Purpose allocation increase; #72 for the Department of Social Services to appropriate a \$500 foster care Christmas donation; #73 for the Department of Social Services to appropriate \$4,500 in additional CRC funds; #74 for Tax Supervision to appropriate \$30,000 of revenue received through delinquent collections by Ridenour & Goss to cover attorney fees related to the delinquent collections; #75 for the Health Department to allocate \$1,050 in additional state funds for disease control; #76 for the Health Department to allocate \$13,757 in additional funding from the state for health education; #77 for the Health Department to

allocate \$10,000 in additional Medicaid cost settlement funds; #78 for the Health Department to allocate \$7,090 in additional state funds for immunization action plan purchases. (Revisions with corresponding numbers attached) **Tax releases** – Approved tax releases in the amount of \$1,488.76 (A computer printout of releases is on file in the Tax Department and the County Manager’s office). **Motor vehicle tax write-offs as of 06/30/2014** – The board accepted a report from Tax Collector Margaret Perry releasing motor vehicle bills from 2007 to 2009 that have been submitted to the collections agency and debt set-off, with all means of collection having been exhausted. This will clear them from the county’s accounts, as the North Carolina Division of Motor Vehicles is now collecting the taxes along with registration fees. **Report of funds received from GovDeals auctions for Fiscal Years 2013 and 2014** -- The board received reports showing net results from surplus vehicles auctioned on GovDeals, Inc., including \$18,395.43 for Fiscal year 2012-13 and \$20,482.32 for Fiscal Year 2013-14. **Monthly ad valorem tax collection report** – No action necessary.

CLOSED SESSION: At 7:54 p.m., upon a motion by Commissioner Haven, seconded by Commissioner Tate, the board voted 4-0 to go into closed session for the purpose of consulting with the attorney under NCGS 143-318.11(a)(3). At 8:35 p.m., upon a motion by Commissioner Tate, seconded by Commissioner Haven, the board voted 4-0 to come out of closed session and return to open session.

RECESS: At 8:36 p.m., upon a motion by Commissioner Tate, seconded by Commissioner Haven, the board voted 4-0 to recess the meeting until Monday, December 1, 2014 at 6 p.m. in the commission boardroom on the third floor of the Macon County Courthouse, 5 West Main Street, Franklin, NC.

Derek Roland
Ex Officio Clerk to the Board

Kevin Corbin
Board Chairman