

**MACON COUNTY BOARD OF COMMISSIONERS**  
**APRIL 11, 2017**  
**MINUTES**

Chairman Tate called the meeting to order at 6:00 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:** Chairman Tate presented a plaque to Commissioner Higdon from Macon County Public Health “in appreciation for 11 years of dedicated community service” as a member of the Macon County Board of Health from 2006 to 2017. The County Manager provided brief updates on the refurbishment of Wesley’s Park and the planned Macon County Clean-Up Day set for April 29<sup>th</sup>.

**MOMENT OF SILENCE:** Chairman Tate 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 COMMENT PERIOD:** **Laurie Beegle** asked the board to consider adopting a resolution in support of state Rep. Kevin Corbin and House Bill 13 (HB 13). She provided the board members with copies of a resolution entitled “Resolution for Support of NC House Representative, the Honorable Kevin Corbin and the NC House of Representatives, in Their Efforts to Gain Concurrence on HB 13 from the NC Senate on Restoring Class Size Flexibility to NC Public School K-3 Classrooms.” She told the board that HB 13 would repeal a Senate bill filed last year that did away with the class size limit for Kindergarten through third grade. If left in place, she said the Senate bill would cost Macon County approximately \$250,000 or reduce the number of teachers by five to seven. She said the programs that would be likely be cut included music, art, foreign language and physical education. She noted that HB 13 passed the House by a 114-0 vote in February. **Lauren Hickman** also asked the board to support the resolution presented by Mrs. Beegle. She told the board that if HB 13 is not passed, the local school system will be forced to make cuts. She explained that her daughter gets 30 minutes of physical

education each school day, but only one day of art or music and a foreign language is not offered. “All these classes make a real difference in a child’s learning,” she said. **Joan Lansford** also urged the board to support HB 13 by adopting the resolution. **Bobby Koppers**, a former county commissioner, told the board that so many times, you have to say no, but that passing the resolution to support HB 13 “doesn’t cost you a thing.” The board members then briefly discussed the matter before Chairman Tate suggested that they each read the resolution during an upcoming break and then act on it later in the meeting. **Brittney Burns** informed the board of an upcoming “Safety Town” event on April 22<sup>nd</sup> which will focus on car seat safety and other safety-related items, such as bicycle helmets. She said that 30 organizations and businesses would be involved in the event, which will take place on the grounds of the Robert C. Carpenter Community Building. **Karen Wallace** with Macon County Public Library told the board that the theme for National Library Week this year was “Libraries Transform,” and gave each member of the board a library card.

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

- To add consideration of the resolution of support for HB 13 as the new Item 11(I) under New Business, per Chairman Tate.
- To add consideration of a “technical amendment” to the county’s travel policy as part of Item 11(E) under New Business, per the County Attorney.
- To add consideration of a Satisfaction of Security Instrument as a new Item 11(J) under New Business, per the County Attorney.
- To add the appointment of a new animal cruelty investigator as a new item 11(K) under New Business, per the County Manager.
- To add a representative of the LBJ Job Corps to the presenters under Item 9D under Reports and Presentations, per Commissioner Shields.
- To add discussion of a request to purchase a piece of county-owned property as a new Item 11(L) under New Business, per the County Manager.

**FUTURE BUSINESS LEADERS OF AMERICA PRESENTATION:** Michelle Brooks with the Franklin High School Future Business Leaders of America (FBLA) updated the board on the group’s award-winning trip to the state conference this year and then introduced Emilynna Watson, who took the top prize in public speaking. Miss Watson then recited her five-minute speech from memory, which outlined three of the nine goals of the FBLA. Following the presentation, Chairman Tate presented Ms. Brooks with a framed county flag and pen set on behalf of the board.

**GIRL SCOUT PRESENTATION:** Carolina Vargas, a student at Macon Early College, gave a presentation on her three-year effort to help build a council ring, or central camp fire pit, at the Lumpkin Adventure Base Camp located in Macon County. The project earned Miss Vargas the Gold Award, which is the highest award one can achieve in Girl Scouts. Following her presentation, Commissioner Shields presented her with a framed county flag and pen set as well.

**COURTHOUSE SECURITY:** Sheriff Robert Holland told the board he will be leading a committee that will take a closer look at courthouse security. Noting his belief that his department has a great unit that provides that service, he said he will be looking to enhance that process and that recommendations will be forthcoming. No action was taken.

**TRADES PROGRAM AT FRANKLIN HIGH SCHOOL:** Vicki Sutton, the vice principal at Franklin High School, outlined a program that will allow students at FHS to become involved in learning trades in a partnership with the Lyndon B. Johnson (LBJ) Job Corps Center and Southwestern Community College (SCC). For example, she explained that a student at FHS can graduate with a welding certificate through SCC, and that the school recently reached an agreement with LBJ that allows FHS students to be dual enrolled and earn a certificate in trades such as painting, masonry, electrical and plumbing. She added that this could lead to the high school working with local businesses to offer internships in these areas once the student completes their training. LBJ Job Corps Center Director Arthur Phalo explained how he put together a special use grant that was awarded \$270,000 that is being used to fund the three-school collaboration, which in turn led to a second grant worth \$100,000. Noting that the “hard trades are in demand,” Mr. Phalo described the program as “really thinking outside the box.” SCC President Dr. Don Tomas pointed out that not one community college in the state currently offers a masonry program, but that SCC can now collaborate with LBJ regarding this. Members of the board expressed their support of the new arrangement, with Commissioner Beale pointing out that a plumber’s assistant can make more money than a college graduate. “The jobs are out there right now,” he said, adding that it has been three decades since jobs like these were in such high demand. No action was necessary.

**RESOLUTION TO AMEND THE PERSONNEL POLICY:** The County Attorney explained that he had prepared a resolution to “amend and restate” a portion of Article VII of the Macon County Personnel Policy as it pertains to leaves of absence, especially for the elected positions of sheriff and register of deeds. He noted that the board received the first draft of the revised policy on March 21<sup>st</sup> and the members had asked for time to review it. He also noted that the

updated version that he had passed out to members at this meeting had incorporated suggested changes by the Human Resources and Finance directors. Essentially, he said the changes follow the board's desire to allow the sheriff and register of deeds to have the rights of other county employees as to holiday pay, annual leave and sick leave, effective April 17<sup>th</sup> and going forward. Chairman Tate asked if there were any questions from the board. Hearing none, and upon a motion by Commissioner Shields, seconded by Commissioner Beale, the board voted unanimously to approve a "Resolution of the Macon County Board of County Commissioners to Amend and Restate 'Article VII. Leaves of Absence' as Contained in the Macon County Personnel Policy which was Adopted June 16, 2008 and Made Effective July 1, 2008 and which was Amended on November 12, 2012 and Again on May 13, 2014." A copy of the resolution is attached (Attachment 1) and is hereby made a part of these minutes. Sheriff Holland expressed his thanks to the board members and those involved in amending the policy, saying he "felt like we deserved the same benefits as other employees."

**AWARD OF BIDS FOR CARPENTER BUILDING RENOVATIONS:** Tom Ritter with Ritter Architecture reviewed the bids that were opened April 10<sup>th</sup> for renovations to the Robert C. Carpenter Community Building, specifically those for electrical, plumbing, the gymnasium floor replacement and general contracting. Mr. Ritter reminded the board that the bid for windows and doors at the facility was approved last month. He then presented recommendations awarding (1) the plumbing bid to Jimbo's Plumbing at \$42,500, (2) the electrical bid to Bumgarner Electric Company at \$35,500, (3) the gymnasium floor replacement bid to Southeastern Building Services of Avalon, Inc. at \$83,816.40 and (4) the general contracting bid to Arrowwood Construction, Inc. at \$283,671. Copies of all four letters of recommendation are attached (Attachments 2-5) and are hereby made a part of these minutes. Following discussion, Mr. Ritter asked the board to authorize the County Manager to execute the contracts for each as presented, with each having a planned April 17<sup>th</sup> start date and 120 days to complete the work, leading to an August 14<sup>th</sup> completion date. The Finance Director told the board that a total of \$470,748 would cover all four bids and allow for an overall five percent contingency. Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve the bids as recommended and to authorize the County Manager to enter into the individual contracts.

**SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM:** Department of Social Services Director Patrick Betancourt shared with the board members his opposition to proposed federal budget cuts that he said would jeopardize the Senior Community Service Employment Program (SCSEP). He explained that this program, which operates regionally through an organization called the State of Franklin Health Council, currently provides the Macon County Senior

Center with four part-time employees who work in all areas of the center and perform the same responsibilities as full-time county employees. Mr. Betancourt said the center has had as many as nine of these part-time workers at one time, and asked the board to recognize the potential that the elimination of this program would have on the center. He provided a copy of the letter he had written to the State of Franklin regarding this matter, a copy of which is attached (Attachment 6) and is hereby made a part of these minutes. No action was necessary.

**RESOLUTION PROCLAIMING MACON COUNTY VOLUNTEER WEEK:** Mr. Betancourt, along with Shelia Jenkins, the Administrative Officer at the county's Senior Center, asked the board to proclaim April 23-29, 2017 as Macon County Volunteer Week. As part of the event, he emphasized an upcoming dinner for those volunteers at which the County Manager and Commissioner Beale would be helping to serve the meal. Since July 1, 2016, he said volunteers at the center had donated 8,060 hours of service, accounting for \$176,352.80 worth of time and "work that just would not get done" otherwise. Following further discussion, and upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve a "Resolution in Recognition of Macon County Crawford Senior Center Volunteers," a copy of which is attached (Attachment 7) and is hereby made a part of these minutes. Going back to the previous agenda item for one moment, Commissioner Beale pointed out that the new proposed federal budget threatens funding for the Appalachian Regional Commission, Meals on Wheels and low income housing assistance.

**NURSE FAMILY PARTNERSHIP PROGRAM:** Mr. Betancourt introduced Sheila Hoyle, the Executive Director with the Southwestern Child Development Commission. She explained the scope of the Nurse Family Partnership program, which provides home visiting services for high risk first-time mothers during pregnancy and up until the child is two years old, helping to prevent child abuse and neglect. Ms. Hoyle said that her agency had been asked to go to counties for financial support, and that she was seeking \$25,000 from Macon and the same amount from Haywood, Jackson and Swain counties. A copy of her letter of request to the County Manager is attached (Attachment 8) and is hereby made a part of these minutes. Commissioner Shields asked if this request would be reoccurring, and Chairman Tate asked if any of the other counties had committed to the funding yet. Ms. Hoyle noted that none of the other counties had finalized their budgets, as the request would be for the upcoming fiscal year. Commissioner Beale said that one of the good things about the program was the in-home visits, but he also pointed out that some of the things in the program overlap with what DSS and Public Health also do. He suggested that the County Manager, Mr. Betancourt and Public Health Director Jim Bruckner meet with Ms. Hoyle to discuss the program in more

depth and that the board take the request under advisement. No action was taken.

**AGREEMENT WITH CROSS THE ROAD YOUTH MINISTRIES:** The County Attorney reminded the board that there are parking issues at the county's Senior Services facility, and while there is an agreement in place for parking in the lot owned by the neighboring Lutheran Church, some issues remain. He said he had been working on a "non-revocable license agreement" with the non-profit Cross The Road, a youth ministry with property on the opposite side of the senior center. In the agreement, the county would have use of the ministry's land for three years in exchange for the county having some minor grading and gravel work performed. The County Manager said the other party was in the process of reviewing the agreement, and that he would like to get a firm answer on the cost of the parking areas. Following additional discussion, the County Attorney recommended the board table the matter. No action was taken.

**CONFLICT OF INTEREST STATEMENTS:** Transit Director Kim Angel told the board that, following a recent compliance visit from state officials, she had been advised that each member of the county's governing board would need to sign a "Conflict of Interest" statement in order to correct a deficiency in the Transit program. In a discussion of this matter with the County Attorney, Ms. Angel said he felt that the board should take official action as a body to approve any such statement. Following discussion of some of the legal issues involved, the County Attorney told the board that if the county wants to receive federal and state funding for Transit, they need to sign the statements. Upon a motion by Commissioner Gillespie, seconded by Commissioner Beale, the board voted unanimously to approve the Conflict of Interest statements as presented, and all five signed them at that time. A blank copy of the statement is attached (Attachment 9) and is hereby made a part of these minutes.

**AMENDMENT TO TRAVEL POLICY:** Ms. Angel explained that Transit employees who travel on county business do so under the county's travel policy, but when they seek reimbursement, can only go as high as the state policy rate allows. To remedy the situation, the County Attorney prepared a resolution to amend the county's travel policy, specifically to add a new section (d) to the Compensation portion of the county policy which reads as follows: "That notwithstanding anything to the contrary contained herein or otherwise, when using state and federal transit grant funds for reimbursement of travel expense, Macon County Transit requests for such reimbursement shall only be in accordance with NCDOT travel policy (NCGS 138-6) and shall only be in the amounts allowed by the State of North Carolina." Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve a "Resolution of the Macon County Board of County

Commissioners Amending the Macon County Travel Policy,” a copy of which is attached (Attachment 10) and is hereby made a part of these minutes.

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

Chairman Tate called the meeting back to order at 7:50 p.m.

**HOUSE BILL 13:** At the request of Chairman Tate, the board agreed by consensus to move Item 11(I) to the next item on the agenda, and Chairman Tate opened the floor for discussion regarding the proposed resolution of support regarding House Bill 13 (HB13). Questions were raised as to the specifics of the some of the language in the resolution, and the board opted to postpone any decision on the matter until April 25<sup>th</sup> so that the chairman could contact state Rep. Kevin Corbin to discuss the resolution and allow Rep. Corbin to review it. No action was taken.

**REQUEST TO RELEASE LOTTERY FUNDS:** The Finance Director requested approval of an application to the Public School Building Capital Fund of the North Carolina Education Lottery requesting \$297,695.03 in lottery funds for the county. Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve the application, a copy of which is attached (Attachment 11) and is hereby made a part of these minutes.

**RENEWAL OF NEWBRIDGE LEASE:** The County Manager said he had received a letter from the state Department of Public Safety seeking a three-year renewal of the lease agreement for an institutional facility and 2.76 acres of land located at 1950 Lakeside Drive in Franklin for the Macon County Multi-Purpose Juvenile Home, known locally as the NewBridge facility. He said the county had last renewed the lease in 2014 and that the new lease, if approved, would go through 2020. The County Attorney pointed out one minor change to the agreement. Commissioner Beale reminded the board that the state had recently agreed to spend \$25,000 to reroof the building, and made a motion to approve the lease agreement subject to changes by the County Attorney. Commissioner Higdon seconded the motion, and the board voted unanimously to approve it. A copy of the lease agreement is attached (Attachment 12) and is hereby made a part of these minutes.

**JOINT MEETING WITH SCC BOARD:** The County Manager and board members discussed a possible joint meeting with the SCC Board of Trustees, scheduled for April 25, 2017 at 6 p.m. at SCC’s Macon campus. The motion to recess this meeting will include more specifics related to that meeting.

**SATISFACTION OF SECURITY INSTRUMENT:** The County Attorney reviewed and recommended that the board approve a Satisfaction of Security Instrument for Cynthia Rea Van Vleck stemming from the Macon County CHAF Program, and upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board approved the document as presented, a copy of which is attached (Attachment 13) and is hereby made a part of these minutes.

**ANIMAL CRUELTY INVESTIGATOR:** Public Health Center Director Jim Bruckner explained that with the resignation of Brent Hyatt on Monday, the board will need to appoint a new animal cruelty investigator for the county, and he recommended that Jason Brooks, a current animal control officer, fill that slot. Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve the recommendation, effective immediately.

**POTENTIAL REAL ESTATE SALE:** The County Manager told the board that he had been contacted by Jim Navarro in regard to purchasing a tract of county-owned property off of Bradley Creek Road. The half-acre parcel has a tax value of \$12,600, and the County Manager said two other offers previously made to the county were turned down. He explained that Mr. Navarro did not make an offer but asked if the board would be willing to entertain negotiations on this. Following discussion, the County Attorney pointed out that the property would need to be declared surplus and that Mr. Navarro would need to make a legitimate offer to purchase that is near market value. He suggested that the board authorize him and the County Manager to meet with Mr. Navarro and let him know the process. This led to a discussion of other “surplus” properties owned by the county. It was later agreed upon that the County Manager would take a closer look at these parcels following the conclusion of the budget process. No action was taken.

**CONSENT AGENDA:** Upon a motion by Commissioner Shields, seconded by Commissioner Higdon, the board voted unanimously to approve the items on the consent agenda as follows: the minutes of the March 14, 2017 regular meeting, the March 21, 2017 continued session and the April 4, 2017 continued session; the following budget amendment: #153 for the Parks and Recreation Department to transfer \$16,039 from the county buildings fund to the general fund to replace a stolen tractor, (note, the county received \$11,680 from insurance; (A copy of the amendment is attached); approved tax releases for March 2017 in the amount of \$116.05. Copies of the releases are on file in the Deputy Clerk’s office.

**APPOINTMENTS: (1) Recreation Commission** – Upon a motion by Commissioner Beale, seconded by Commissioner Higdon, the board voted unanimously to appoint Nick Birchard, Jay Brooks and Lisa Leatherman to

seats on the Macon County Recreation Commission for a term of three years each.

**CLOSED SESSION:** The County Attorney informed the board that he had determined it would be unnecessary to hold a closed session at this time.

**RECESS:** With no other business, and at 8:19 p.m. upon a motion by Commissioner Beale, seconded by Commissioner Gillespie, the board voted unanimously to recess until Tuesday, April 25, 2017 at 6 p.m. at the Cecil L. Groves Center on the Macon campus of Southwestern Community College, located at 44 Siler Farm Road, Franklin, NC for the primary purpose of holding a joint meeting with the Southwestern Community College Board of Trustees.

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Derek Roland  
Ex Officio Clerk to the Board

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Jim Tate  
Board Chairman