

**MACON COUNTY BOARD OF COMMISSIONERS
OCTOBER 14, 2014
MINUTES**

Chairman Corbin called the meeting to order at 6:03 p.m. All Board Members, the County Manager, Deputy Clerk, Finance Director, County Attorney, members of the news media and interested citizens were present.

MOMENT OF SILENCE: As there were no announcements, Chairman Corbin asked those in attendance to observe a moment of silence.

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

PUBLIC COMMENT: **Doug Woodward** appeared again before the board regarding a document called the “Macon County, North Carolina Bill of Rights,” and asked if the board had or planned to take action on the document. He suggested that other jurisdictions have such a document and that it could be adopted by ordinance. After telling the board that fracking is “an issue that’s not going away,” he informed the members that he has now collected 334 signatures on a petition asking the commissioners to adopt the standards outlined in the “Bill of Rights.” In closing, he told them, “You’ll see me again.” **Diane Cotton** addressed the board regarding the Read2Me program, noting that while the commissioners have both publicly and privately endorsed the program, it would not be receiving requested funds from the Community Funding Pool this year as it did the previous year. She stressed the importance of getting books into the hands of pre-school children.

RURAL OPERATING ASSISTANCE PROGRAM (ROAP) PUBLIC HEARING: Chairman Corbin opened the hearing on the Rural Operating Assistance Program (ROAP) at 6:16 p.m., and recognized Kim Angel, Macon County Transit Director, who outlined some of the specifics of the county’s application for \$119,497 in state funding to help cover the operating costs associated with three separate transit programs, including: (1) the Elderly & Disabled

Transportation Assistance Program (EDTAP); (2) the Employment Transportation Assistance Program (EMPL) and (3) the Rural General Public Program (RGP). No one from the public signed up to speak at the hearing, and Chairman Corbin closed the hearing at 6:19 p.m. Following a brief discussion, and upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted unanimously to authorize Mrs. Angel to submit the application, and to authorize the Chairman, County Manager and Finance Director to sign the required Certified Statement, 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 move Item 8C (Grant for Hospice Inpatient Facility) to Item 8A under Reports/Presentations, per the County Manager.
- To add three items relating to the development of the Parker Meadows Recreational Complex to New Business as Items 10C, 10D and 10E, per the County Manager.
- To add a brief presentation by Commissioner Haven regarding the Appalachian Trail as Item 8E under Reports/Presentations.
- To add consideration of an appointment to the Macon County Heritage Center board as Item 12D under Appointments, per Commissioner Beale.

GRANT FOR HOSPICE INPATIENT FACILITY: Orville Coward and Michele Alderson made a presentation to the board on behalf of the Hospice House Foundation of Western North Carolina, a non-profit organization. Mr. Coward explained that there is not a Hospice House in North Carolina west of Asheville, and that while the foundation has purchased the “Dryman” house on Maple Street in Franklin, “just acquiring a house is not enough.” He explained that \$4 million is needed to renovate and improve the former home, and that the foundation is seeking to apply for a \$100,000 Building Reuse Grant from the North Carolina Department of Commerce. He told the board that \$1 million has been raised, and that another \$1 million could be available from a “challenge grant” from the State Employees Credit Union (SECU). While there are three Hospice operations in the county now, none have inpatient facilities. He requested that the board “step into the breach” and accept the grant funding from the state and pass it through to the foundation. The facility would serve up to 12 people at one time, six who are “at the end of life” and six others who would be “in and out” of Hospice care. Commissioner Haven made a motion that the county would participate in the application process with the Hospice House Foundation of Western North Carolina, and Commissioner

Higdon seconded the motion. The County Attorney explained that in serving as the applicant, the county would take on an administrative role in the process and the County Manager would need to task an employee with that responsibility. Chairman Corbin explained that he serves on the state committee that reviews the applications to the Department of Commerce and therefore had not participated in the discussion. The board voted 4-0, with Chairman Corbin abstaining, to approve the motion. The County Attorney pointed out there would be the need for an agreement between the county and the foundation.

MACON COUNTY PUBLIC LIBRARY BOARD OF TRUSTEES BYLAWS – Karen Wallace, the librarian for the Macon County Public Library, explained that a revised set of bylaws had been prepared for the library’s board of trustees. Outside of a new format and a change that would allow up to nine trustees to serve on the board, she said there were no significant changes to the document, which had been reviewed at the regional level. Upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted unanimously to adopt the revised bylaws as presented, a copy of which is attached **(Attachment 2)** and is hereby made a part of these minutes.

COMMUNITY FUNDING POOL RECOMMENDATIONS: Karen Wallace, who also serves on the Community Funding Pool, presented the group’s recommendation for allocating \$50,000 in funding for Fiscal Year 2014-15. While 10 agencies would share the \$50,000 available from the county, she noted that a total of 15 applied, with all of the requests totaling \$94,500. Stating that he admired the group’s work, Commissioner Tate made a motion to approve the recommendation as presented, and Commissioner Beale seconded the motion. Following a question from Commissioner Haven, and a suggestion by Chairman Corbin to the County Manager that the pool’s funding level should be considered for a “cost-of-living” increase in next year’s budget, the board voted unanimously to approve the motion. A copy of the Community Funding Pool recommendations for FY 2014-15 is attached **(Attachment 3)** and is hereby made a part of these minutes.

PROCLAMATION FOR PANCREATIC CANCER AWARENESS MONTH: Theresa Ramsey, who lost her sister-in-law to pancreatic cancer, presented some information on the disease and asked the board to designate the month of November 2014 as “Pancreatic Cancer Awareness Month” in Macon County. She asked the members to come to a rally in downtown Franklin on November 15th (Pancreatic Cancer Awareness Day) and to wear purple in support of the event. Upon a motion by Commissioner Haven, seconded by Commissioner Beale, the board voted unanimously to approve a proclamation designating November 2014 as “Pancreatic Cancer Awareness Month.” A copy of the

proclamation is attached (Attachment 4) and is hereby made a part of these minutes.

APPALACHIAN TRAIL: Commissioner Haven presented each of the board members with a copy of “The Appalachian Trail Guide 2014” and shared a number of comments about hikers who take to the trail seeking solitude. He stated there was a board in Franklin aligned with the Appalachian Trail Conservancy that was “starting to make regulations” regarding the hikers and the trail. He said the trail was one of the county’s top tourist attractions and that “regulations are not what hikers are looking for.”

PARKER MEADOWS RECREATIONAL COMPLEX “WORK GROUP”: The County Manager told the board that as work on the construction phase of the Parker Meadows Recreational Complex is “coming along,” he felt it was time to start looking toward the future and how to define the recreational “product” that the county would have to offer. With “travel ball” tournaments and local leagues utilizing the county’s 15 available ball fields, the County Manager said there is “a whole host of issues” to study. With that in mind, he proposed appointing an eight-member “work group” to look at marketing, scheduling and other issues. This would be an advisory board that would work in conjunction with the county’s existing Recreation Commission. Upon a motion by Commissioner Haven, seconded by Commissioner Beale, the board voted unanimously to appoint the new work group as presented. The members of the group will include: Tommy Jenkins, Billy Vanhook, Todd Ensley, Autumn Corbin, Justin Moffitt, Byron McClure, Gloria Thun and Jerry Moore.

2015 HOLIDAY SCHEDULE: Upon a motion by Commissioner Tate, seconded by Commissioner Haven, the board voted unanimously to approve the 2015 Holiday Schedule as presented. A copy of the schedule is attached (Attachment 5) and is hereby made a part of these minutes.

CONTRACT WITH WARTH CONSTRUCTION: Upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted unanimously to authorize the County Manager to enter into a contract with Warth Construction in the amount of \$499,500 to construct the dugouts and other facilities at the Parker Meadows Recreational Complex.

CHANGE ORDER FOR WARTH CONSTRUCTION: The County Manger asked the board to consider a change order that results in a \$60,000 decrease to the just-approved contract with Warth Construction, bringing the new contract price to \$439,500. Following an overview of the changes, and upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted unanimously to approve the change order as presented.

CONTRACT WITH HEDDEN BROS. WELL DRILLING: The County Manager presented a proposal from Hedden Bros. Well Drilling, Inc. to drill a well, at up to 400 feet in depth, at the Parker Meadows Recreational Complex. The price, which is not to exceed \$5,440, includes the cost of the steel casing. Upon a motion from Commissioner Haven, seconded by Commissioner Tate, the board voted unanimously to authorize the County Manager to enter into the contract with Hedden Bros. Well Drilling in an amount not to exceed \$5,440.

CONSENT AGENDA: Upon a motion by Commissioner Tate, seconded by Commissioner Beale, the following items on the consent agenda were unanimously approved: **Minutes** – Approved the minutes from the September 9 and September 29, 2014 meetings. **Budget amendments** – Approved the following budget amendments: **#49** for Soil & Water Conservation to appropriate \$15,000 received from WNC Communities TVA Ag & Forestry Fund grant for a portable tub, alley and chute system; **#50** for Emergency Management to appropriate grant funds in the amount of \$52,500 for a pre-disaster mitigation plan (a match of \$17,500 is required but the county can use in-kind labor and other expenses to meet the match so no additional county funds are required); **#51** for the Department of Social Services to allocate \$145 in additional SHIPP funds for Fiscal Year 2014-15; **#52** for the Health Department to appropriate \$1,501 in BlueCross BlueShield grant funds to reimburse health center staff for mileage, meals and hotel expenses associated with a workshop on oral health practices; **#53** for the Health Department to appropriate \$500 in funds received for participation in Community Health Improvement; **#54** for the Buildings and Grounds Department to appropriate \$28,438 from insurance settlements; **#55** for the Department of Social Services to allocate \$961 in additional federal funds for Family Reunification; **#56** for the Sheriff's Department to allocate \$3,676 from an insurance settlement; and **#57** for the Department of Social Services to allocate \$27,197 in Medicaid administrative funds for an outpost worker to be stationed at Angel Medical Center, with the hospital to cover the non-federal share. (Revisions with corresponding numbers attached) **Tax releases:** Approved tax releases in the amount of \$298.42 (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) Mapping Department Review Officers – Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to appoint Steve Hummel and Wes Hall as review officers for the Mapping Department and to remove Justin Setser. **(2) Health Board** – Upon a motion by Commissioner Higdon, seconded by Commissioner Beale, the board voted unanimously to appoint Dr. Carol Peterson to fill the unexpired term of Dr. Frederick Berger's physician slot on the Board of Health, and to move Emily Porter Bowers, a nurse who currently fills a community slot on the

board, into the vacant nurse position created by the resignation of Sheila Price and to fill the remainder of Ms. Price's unexpired term. **(3) Town of Franklin Extraterritorial Jurisdiction (ETJ) Representative** – Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to approve a request from the Town of Franklin to reappoint Janet Greene to serve on the Town of Franklin Planning Board and Board of Adjustment as the Extraterritorial Jurisdiction (ETJ) representative. Term of appointment is for three years and will expire on October 14, 2017. **(4) Macon County Heritage Center** – At the request of Commissioner Beale, and upon a motion by Commissioner Haven, seconded by Commissioner Tate, the board voted unanimously to appoint Barbara “Bo” Bryant to the advisory board for the Macon County Heritage Center at the Historic Cowee School.

CLOSED SESSION: At 7:42 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). At 8:04 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted unanimously to come out of closed session and return to open session.

LANDFILL EXPANSION: Macon County Solid Waste Director Chris Stahl gave the board a detailed overview on possible options for expanding the county's landfill operation. By obtaining two properties immediately adjacent to the current landfill property, the county can increase the “footprint” of the third cell (Phase III) of the landfill by some 35 percent, but doing so would yield a 300 percent increase in the “airspace” of the cell. Mr. Stahl estimated that the added space would result in a \$36 million savings to the county over the life of the landfill. Therefore, purchasing the two properties becomes “the way that we should go,” because given current compaction rates, the additional land would extend the life of the landfill an estimated 43 years, but with a potentially attainable higher compaction rate that number could rise to 60 years, he explained. Otherwise, the third cell will last the county somewhere between 16 and 20 years. He explained that because of permitting and other issues, the county does not have the option of adding the property once the third cell has been designed, permitted and is under construction. There is only about two years of capacity remaining in Phase II, and Mr. Stahl noted that it normally takes three to four years to get the necessary permits in hand. Because the landfill operates as an enterprise fund, Mr. Stahl said there would be no tax money going into the purchase of the properties, and “the money is in the bank” to transfer from the enterprise fund to make the acquisitions. Chairman Corbin asked Mr. Stahl if, theoretically, as the private owner of a landfill operation, would he buy these properties, and he responded, “Yes, without question.” The board then took the following action:

Upon a motion by Commissioner Higdon, seconded by Commissioner Tate, the board voted unanimously to approve a budget amendment in the amount of \$1.53 million that moves those funds from the retained assets line item in the enterprise fund to the capital expenditures line item in that fund.

Upon a motion by Commissioner Higdon, seconded by Commissioner Haven, the board voted unanimously to purchase 8.41 acres of property from Charles and Wendy Dalton at a cost of \$800,000. The motion also included approval of a one-year lease of a certain portion of the property back to the Daltons from the county, which will commence at the time the county closes on the property.

Upon a motion by Commissioner Haven, seconded by Commissioner Beale, the board voted unanimously to purchase 14.58 acres of property from Donald Burling and Fay Fortune at a cost of \$730,000, and that property includes a dwelling that can be used for purposes associated with the county's solid waste operation. The County Attorney pointed out that the county has a six-month due diligence period on each of the properties.

Upon a motion by Commissioner Higdon, seconded by Commissioner Haven, the board voted unanimously to approve a change order for Bunnell-Lammons Engineering, Inc. (BLE) to perform an expanded site and design hydrogeologic investigation of additional properties in the proposed development of Phase III of the landfill at a cost of \$90,425 as part of the county's due diligence process. A copy of the change order is attached (**Attachment 6**) and is hereby made a part of these minutes.

The board members thanked Mr. Stahl for his efforts, diligence and his role in educating them on the options available to them, and he thanked the board members for their support and trust in him.

ADJOURN: With no other business, and at 8:32 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to adjourn.

Derek Roland
Ex Officio Clerk to the Board

Kevin Corbin
Board Chairman