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MACON CO, NC FEE \$0.00

PRESENTED & RECORDED:

11-30-2012 03:00:24 PM

TODD RABY
REGISTER OF DEEDS
BY: TODD RABY
REGISTER

**MACON COUNTY BOARD OF COMMISSIONERS
MAY 15, 2012 – 6 P.M.
CONTINUED SESSION
MINUTES**

**BK: CRP H-35
PG: 2242-2270**

Chairman Corbin convened the continued session at 6:02 p.m. in the Commissioners' Boardroom on the third floor of the courthouse as recessed from the May 8th meeting. All Board Members, the County Manager, Deputy Clerk, Finance Director, County Attorney, interested citizens and members of the news media were present.

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 add a presentation by Sandra Queen from CareNet under Reports/Presentations as Item 8A, per Commissioner Beale.
- To add consideration of the award of the bid for parking pads at the Highlands Transfer Station under New Business as Item 10I, per Solid Waste Director Chris Stahl.
- To add consideration of a resolution that would allow the governing body of the Town of Highlands to issue permits for fireworks displays under New Business as Item 10J, per the County Attorney.
- To add consideration of an amendment to the greenway ordinance regarding the dog park under New Business as Item 10K, per the County Attorney.
- To add discussion regarding facilities at the recreation park under Reports/Presentations as Item 8B, per Chairman Corbin.
- To add Budget Amendments #186 and #187 under the Consent Agenda in Item 11B, per the Finance Director.
- To hold a Closed Session under Item 13 for the purpose of preserving the attorney/client privilege.

CARENET: Commissioner Beale introduced Sandra Queen, the new executive director of the Macon County Care Network, known as CareNet, who gave the board an update on the non-profit ministry's activities. Ms. Queen noted that CareNet has seven paid staff and 80 volunteer workers. She said that all donations go back into giving to the community, and that sales from items at the organization's thrift store help pay for operations. CareNet owes \$165,000 on its building on Bidwell Street in Franklin. She said CareNet spent \$67,000 on food last year, is involved in the backpack program in the school system, which provides weekend

meals for children, and is working with Macon Program for Progress (MPP) this summer as a host site for MPP's free lunch program. She pointed out several needs the organization has, and asked for the board members' prayers. Commissioner Beale responded that the commissioners would take those needs into consideration.

RECREATION FACILITIES: Chairman Corbin explained that he had been talking with Parks and Recreation Director Seth Adams in regard to aging facilities at the county's recreation park, particularly the swimming pool. Chairman Corbin said he had also had conversations with Commissioner Koppers, the board's liaison to the recreation board and department. After further discussion, the board agreed by consensus to task Commissioner Koppers with developing a plan for improvements to the pool and other facilities.

OFFICIAL APPOINTMENT OF CHESTER JONES AS COUNTY ATTORNEY: The County Manager explained that Chester Jones has filled in as interim county attorney for the past two years, during which time the County Manager said that he has kept Mr. Jones very busy and that he has done a commendable job. Adding that he probably should have done this some time ago, the County Manager recommended that the board remove the "interim" label from Mr. Jones' title and officially designate him as County Attorney. Upon a motion by Commissioner Haven, seconded by Commissioner Tate, the board voted unanimously to approve the recommendation.

PRESENTATION OF THE PROPOSED FISCAL YEAR 2012-13 BUDGET: The County Manager delivered a PowerPoint presentation on the proposed FY 2012-13 budget, which is balanced with revenues and expenditures of \$44,275,869. He noted that the board would need to schedule work session dates, with a hearing on the budget already set for 6 p.m. on June 5th and with anticipation of adopting the budget on June 12th. He said the county remains in a strong financial position, and then reviewed a list of accomplishments and ongoing projects. He pointed out there is no growth in the new budget, which contains no tax increase. A copy of the County Manager's budget message (Attachment 1) is attached and is hereby made a part of these minutes. The board agreed to hold a work session on May 21st at 6 p.m. and tentatively scheduled another work session for May 23rd at 3:30 p.m.

RESOLUTION REQUESTING THE GENERAL ASSEMBLY POSTPONE MAKING CHANGES TO THE STRUCTURE OF MENTAL HEALTH BOARDS: Commissioner Beale informed the board that the resolution would not be necessary, and the item was withdrawn from the agenda.

RENEWAL OF LEASE WITH FRANKLIN GEM & MINERAL SOCIETY:

The Franklin Gem & Mineral Society requested a renewal of the lease of the old county jail property located at 25 Phillips Street for continued use as a museum for another five-year period, with the current lease set to expire on June 3, 2012. The County Attorney explained that due to the length of the proposed lease, the board would need to advertise its intent to renew the agreement, and that he could prepare the proper resolution for the board's consideration at its June regular meeting, although there would be a small gap in the term. Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to accept the County Attorney's recommendation.

REQUEST FOR USE OF COUNTY PROPERTY BY THE FRANKLIN ARCHERS:

Chairman Corbin explained that The Franklin Archers had requested the use of some county property located behind South Macon Elementary School for use as an archery range. The County Manager provided a map showing the 21-acre parcel that was split off from the original purchase for the school, noting that the archers want to use a small portion on the southern end of it. Commissioner Beale said he had met with the group, which started at the old Cartoogechaye School, and expressed his desire to see the property used for this purpose. The County Attorney said that safety issues would need to be addressed and that a lease arrangement would be best, with the county dictating the access to the property. The County Manager suggested a one-year lease that could be revisited on a year-to-year basis. Upon a motion by Commissioner Beale, seconded by Commissioner Kuppers, the board voted unanimously to authorize the County Attorney and County Manager to prepare a lease agreement, based upon the items presented, with the County Attorney pointing out that the group would need to add the county as an additional insured under its liability policy.

DENTURE FEE PLAN: Health Center Director Jim Bruckner presented a denture fee plan for the board's consideration, explaining that the health department does not currently provide this service. He said the new initiative is expected to be a break-even proposition, with the fee schedule including a sliding scale where the Medicaid rate will normally cover 50 percent of the costs. He said the center is not competing with private dentists, but there is a need for the service, which can be provided by the new adult dentist now on staff. He said there would be no cost to the county for the program. Upon a motion by Commissioner Kuppers, seconded by Commissioner Haven, the board voted unanimously to approve the fee plan as presented (Attachment 2), a copy of which is attached and is hereby made a part of these minutes.

Chairman Corbin declared a recess at 7:34 p.m.

Chairman Corbin called the meeting back to order at 7:49 p.m.

Chairman Corbin read a letter to the board members from Dorothy and John Crawford, which read as follows:

"John and I are deeply humbled and honored that you named the Senior Center building for us, yesterday April 27. May we always honor your decision. We assure you we will continue to advocate for seniors and others in need of services. Thanks also for the Macon County emblem and the bucket of goodies. We were deeply touched by your positive comments. They will be treasured always. In deep appreciation, Dorothy R. and John L. Crawford."

CHANGE ORDER ON IOTLA VALLEY ELEMENTARY SCHOOL

PROJECT: The County Manager explained that the new on-site sewer system at the school has a series of underground treatment pods, and in order to make sure that there is proper drainage, it was necessary to install an underdrain for the area as a precaution that should help avert any flotation problems in the future. He recommended that the board approve Change Order #3 on the project (Attachment 3) in the amount of \$4,700, and upon a motion by Commissioner Koppers, seconded by Commissioner Haven, the board voted unanimously to approve the change order, a copy of which is attached and is hereby made a part of these minutes.

FRANKLIN FIREWORKS DISPLAY: The County Manager explained that the Franklin Area Chamber of Commerce had requested permission to conduct the annual July 4th fireworks display at the Macon County Veterans Memorial Park on July 4, 2012. Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to grant permission for the display.

DISCUSSION REGARDING VIDEO SWEEPSTAKES MACHINES: The board discussed the proliferation of the video sweepstakes machines throughout the county. Sheriff Robert Holland told the board that while he gets complaints, he had been told by the District Attorney not to file charges against owners of these establishments, and Brian Welch, the staff attorney for the sheriff's department, said there are cases within the state's Court of Appeals and Supreme Court that are pending. Chairman Corbin asked what could be done, and it was noted that Henderson County was also grappling with the situation, with the County Manager

pointing out Henderson has county-wide zoning and therefore can direct the location of the sweepstakes establishments. After further discussion, the board agreed to obtain a copy of the resolution being considered in Henderson County and to contact officials there for insight into how they are dealing with the issue. Chairman Corbin said the board members could also discuss this matter with legislators when they are in Raleigh later this month for County Assembly Day. No action was taken.

AWARD OF BID FOR PARKING PADS AT HIGHLANDS TRANSFER STATION: Solid Waste Director Chris Stahl recommended that the board approve a bid of \$62,720 from Taylor and Murphy of Asheville to install two parking pads at the Highlands Transfer Station. The pads will hold trailers that are used to transport waste from the station to the landfill in Franklin. There are drains installed in the pads that will drain to an on-site septic tank, collecting any leachate that drips from the trailers and keeping it from entering stormwater ditches at the facility. Upon a motion by Commissioner Haven, seconded by Commissioner Koppers, the board voted unanimously to award the bid to Taylor and Murphy as presented. A copy of the Recommendation of Award from McGill Associates and the bid tabulation (Attachment 4) are attached and are hereby made a part of these minutes.

RESOLUTION REGARDING HIGHLANDS FIREWORKS DISPLAYS: The County Attorney explained that he had prepared a resolution that would authorize the board of commissioners for the Town of Highlands to issue permits pursuant to Article 54 of Chapter 14 of the state's General Statutes for pyrotechnics to be exhibited, used or discharged within the corporate limits of the town for use in connection with public exhibitions. He added that the county's granting of this authority to the town via this resolution is essentially a matter of convenience. Upon a motion by Commissioner Tate, seconded by Commissioner Beale, the board voted unanimously to adopt the resolution as presented (Attachment 5), a copy of which is attached and is hereby made a part of these minutes.

AMENDMENT TO GREENWAY ORDINANCE REGARDING DOG PARK: The County Attorney explained that he had prepared an ordinance amending the ordinance regulating the use of the Little Tennessee River Greenway to allow for a gated "dog park," as this would carve out an exception to the general rule of dogs having to be on leashes, crated or caged while on the greenway. He read the ordinance into the record, noting that the date listed on the bottom of page 1 would need to be changed from May 8th to May 15th. Upon a motion by Commissioner Haven, seconded by Commissioner Tate, the board voted unanimously to

approve the ordinance amendment as presented (Attachment 6), a copy of which is attached and is hereby made a part of these minutes.

CONSENT AGENDA: Upon a motion by Commissioner Kuppers, seconded by Commissioner Beale, the following items on the consent agenda were unanimously approved: **Minutes** – Approved the minutes from the April 9th, April 10th, April 19th and April 26th meetings. **Budget amendments** – Approved the following budget amendments: #182 for the Health Department to allocate additional funding of \$183,920 for the Community Transformation Grant; #183 for the Soil Conservation Department to appropriate \$2,500 in grant money received from Wal-Mart. The county had to apply for the grant on behalf of Mountainview Intermediate School and is acting as a pass-thru agent. #186 for the Health Department to allocate funds to the proper line item from an insurance claim check for damage to a refrigerator and #187 for the Department of Social Services for an additional allocation of \$918 for Haywood Electric Energy Assistance. (Revisions with corresponding numbers attached.) **Tax releases** – There were no tax releases for the board's consideration at this time. **Resolution Requiring Tax Certification Prior to Recording Deeds in Macon County** – The County Attorney explained there is no certification required for recording deeds of trust and that the county is still in accord with the resolution adopted by the board of commissioners in August 2004.

APPOINTMENTS: Chairman Corbin asked the board for the liberty to move Agenda Item 12H (Planning Board) to the front of the list, and the board agreed without objection.

Planning Board: Chairman Corbin explained that his goal for the planning board was to move forward in a thoughtful way. The county had received nine applications for the planning board, and then two of those were withdrawn. Without objection from the board, three of the applicants were present, and Chairman Corbin suggested that each one be allowed to speak and then the commissioners could ask questions of each. **Mark West**, a current member of the board, told the commissioners he was withdrawing his name from consideration at this time, and the commissioners expressed their appreciation for his service. **Peggy Patterson** told the commissioners she was a 5th generation Maconian who had developed subdivisions and said the planning board needs people who have been on the land. **Susan Ervin**, also a current member of the board, said she was honored to have served many years on the planning board and had not been afraid to strongly express her opinions, but was willing to compromise. Chairman Corbin asked both candidates if they could take a common sense, civil and level-headed

approach to their duties, and both had agreed they could. Saying that diversity is very important, Commissioner Haven made a motion to appoint Ms. Patterson and Ms. Ervin to the board, which was seconded by Commissioner Kuppers and approved unanimously by the board. Terms of appointment are for three years and will expire on May 15, 2015.

Airport Authority: Commissioner Kuppers said the members of the authority have asked the board to postpone the appointment until June so that they could submit a recommendation, and the board agreed to do so.

Board of Adjustment: Upon a motion by Commissioner Kuppers, seconded by Commissioner Beale, the board voted unanimously to reappoint Sue Waldroop, Dwight Vinson and Gary Drake to the Board of Adjustment, and to acknowledge the resignation of Larry Stenger. Term of appointment is for three years and will expire May 15, 2015.

Community Funding Pool: Upon a motion by Commissioner Kuppers, seconded by Mr. Haven, the board voted unanimously to reappoint Bobbie Contino, Sandy Vinson and Frances Dewitt to the Community Funding Pool. Term of appointment is for three years and will expire May 15, 2015.

Economic Development Commission: Economic Development Director Tommy Jenkins requested that any action regarding the appointment of Joe Collins be postponed until conflicting information could be reviewed, and the board agreed.

Farmland Preservation: Upon a motion by Commissioner Beale, seconded by Commissioner Kuppers, the board voted unanimously to reappoint John McCall, Rickie James, Charles "Butch" Deal and Larry Sheffield to the Farmland Preservation committee. Term of appointment is for three years and will expire May 15, 2015.

Health Board: Commissioner Kuppers said that the term of Russell Stevenson needed to be checked prior to any action being taken. Commissioner Kuppers then made a motion to appoint Molly Phillips to fill the unexpired term of Paul Higdon, which expires June 30, 2012, and to appoint Stacy Shannon to a three-year term that would begin on July 1, 2012 and expire on June 30, 2015. Commissioner Beale seconded the motion and it was unanimously approved. It was noted that Ms. Phillips would need to complete an application and, pending that, the board could consider appointing her for a full term.

Jury Commission: Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to reappoint Sue Waldroop to the Jury Commission. Term of appointment is for three years and will expire May 15, 2015.

Recreation Board: Upon a motion by Commissioner Kuppers, seconded by Commissioner Tate, the board voted unanimously to reappoint Dennis Conley and Tex Davis to Recreation Board. Term of appointment is for three years and will expire May 15, 2015.

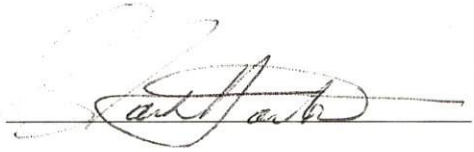
Tourism Development Committee (TDC) (Franklin/Highlands): Upon a motion by Commissioner Haven, seconded by Commissioner Beale, the board voted unanimously to accept the TDC's recommendation to appoint Katie LaFlamm to the TDC. Term of appointment is for three years and will expire May 15, 2015.

Franklin (Town) Board of Adjustment/Extraterritorial Jurisdiction (ETJ) representative: Upon a motion by Commissioner Beale, seconded by Commissioner Kuppers, the board voted unanimously to reappoint Janet Greene as a county representative from the ETJ on the Franklin Board of Adjustment. Term of appointment is for three years and will expire May 15, 2015, with the motion noting it is contingent upon Ms. Green's ability to continue to serve.

Watershed Review Board: Upon a motion by Commissioner Kuppers, seconded by Commissioner Beale, the board voted unanimously to reappoint Joe Deal and Mike Bryson to the Watershed Review Board. Term of appointment is for three years and will expire May 15, 2015. Commissioner Kuppers said he would check on the status of the four other members.

CLOSED SESSION: At 9:07 p.m., and upon a motion by Commissioner Beale, seconded by Commissioner Kuppers, the board voted unanimously to go into closed session to preserve the attorney/client privilege under G.S. 143-318-11(3). At 9:34 p.m., and upon a motion by Commissioner Beale, seconded by Commissioner Kuppers, the board voted unanimously to come out of closed session. No action was taken.

RECESS: At 9:35 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Kuppers, the board voted unanimously to recess the meeting until Wednesday, May 21st, 2012 at 6 p.m. in the commissioners' boardroom on the third floor of the Macon County Courthouse at 5 West Main Street in Franklin, NC.

A handwritten signature in dark ink, appearing to read "Jack Horton", written over a horizontal line.

Jack Horton, County Manager
Clerk to the Board

A handwritten signature in dark ink, appearing to read "Kevin Corbin", written over a horizontal line.

Kevin Corbin
Board Chairman

Macon County



May 8, 2012

Macon County Board of Commissioners

Chairman: Kevin Corbin
Vice-Chair: Bobby Kupperts
Commissioner: Ronnie Beale
Commissioner: Ron Haven
Commissioner: Jimmy Tate

Gentlemen,

In accordance with the North Carolina Local Government Budget and Fiscal Control Act, I am pleased to present to you the proposed budget for Macon County for fiscal year 2012/2013.

Macon County continues to maintain an enviable position in comparison to many counties in North Carolina. The county remains in sound financial condition, and currently has the lowest ad-valorem property tax rate among all counties in North Carolina (@ 27.9 cents per \$100). Our county credit rating this year was raised by Standard and Poor's from an A to an A+. Our fund balance is stable and allows the county to have reserves in an amount equal to at least three months of operating expenditures. This provides a strong degree of financial security in terms of being prepared for unexpected emergencies or shortfalls in revenue. The healthy fund balance, a conservative approach to budgeting, along with a consistent tax collection rate contributes to Macon County's favorable Bond Rating.

There are many positive accomplishments the county can be proud of, while at the same time being vigilant in our approach to responsible financial planning. I sincerely believe this is what is meant by being a good steward of public funds. I will take time in this budget message to emphasize both highlights of the current year, and the challenges facing the county next year.

On the revenue side of the budget, growth in the tax base is minimal and although sales taxes have somewhat stabilized they continue to fall short of past years growth experience. We, like everyone continue to hope for a better economy next year.

During the past year Macon County continued with several major projects and has made considerable progress on these. The following list provides some insight on these very important contributions to the future of Macon County.

- Construction continues on the new K-4 Iotla Valley Elementary School, (Construction Cost) \$11,300,000, \$118.00 per square foot, financed at a net interest rate to the county of 0.48 %. The debt will retire in 17 years, and the school is on schedule to be completed and occupied by this August.
- Little Tennessee/Cartoogechaye Creek Sewer Interceptor Line: The main line is now operational. When we complete the reuse system at the landfill, the project we will be finished. We expect to finalize by June 30th.
- The Riverbend Road/ Highway 28 North, water project is now complete along with a new 500,000 gallon finished water storage tank (Wilkie Street Tank). Funds to extend new water service to the Swiss Colony subdivision area are available, and we are waiting for the Town of Franklin to acquire the necessary easements and rights of way in order to let the contract on this additional phase of the project.
- The Macon County Airport runway extension project has been completed after nearly 10 years of delays and setbacks. The county in this year's budget appropriated enough funds (\$232,634) to match a new Federal Aviation Administration grant of (\$2,093,706) for the rehabilitation and repaving of the airport apron. This project will begin this fiscal year but likely will not be completed until early next fiscal year.
- Renovation is well underway on the new Sherriff's Office on Palmer Street. We expect to have the work completed by June 30, and hopefully fully occupied by then.
- The Barrett Building renovation is proceeding well and with any luck we should have that project completed this summer. In addition to renovating the top floor, and installing a state of the art communications system for the county's Emergency 911 Center, a new interior accessible elevator will be installed to make the entire building more ADA compliant and handicap accessible.
- The Business Development Center (Incubator) has suddenly taken off with renewed interest. We have several new businesses that have located there this year and have recently had request for more space. We hope to be able to relocate the DMV Drivers License Office and utilize that space for business development purposes soon.

Challenges for the Coming Year

In order to fund essential county services, meet the county's debt service obligation on capital projects, and maintain critical needs in education and public safety, we have made decisions and recommendations that prioritize and in many cases reduce departmental and agency budget requests this year. There are many worthwhile and commendable projects, programs, and services that have merit and still need to be funded and or implemented, but have not been included in this proposal due to lack of additional revenue.

The original approved general fund budget for this year (2011/2012) was \$42,775,263. Due to continuing contracts and additional revenue the current revised budget for this year is \$45,788,503. The proposed general fund budget for fiscal year (2012/2013) is \$44,275,869.

The proposed budget for (2012/13) is 3.5% more than the (2011/2012) **original** approved general fund budget, and is 3.3% **less than the revised current year general fund budget**. The increase is due in large part because of additional appropriations from fund balance not from a growth in general fund revenues. This is basically a no growth budget except for one time expenditures from fund balance reserve.

The county **General Fund** operating budget is balanced within existing revenues. **No property tax increase is requested or recommended.** We have reduced requests for capital outlay from our departments and trimmed other expenses where feasible. Our goal over the past four years has been to maintain the current level of service without additional staff. We have been able to do that by leaving non critical positions unfilled throughout county departments. We have asked county staff to take on additional work load with no salary adjustment. We continue to fill only essential positions when they become vacant. Our county employees have worked hard to do their job without complaint as they continue to help us hold the line on spending while delivering essential county services. Macon County is indeed fortunate to have such dedicated and devoted employees. The Board earlier this year authorized a new classification and pay plan study that is almost ready for presentation. We do not have the financial impact of that study at this time, and therefore have not budgeted anything at this point for implementation of the approved plan. We will continue to work with Springsted (our consultant) on an implementation plan when we receive the final report. At this point the proposed budget contains no salary adjustments.

Our self-funded health insurance program continues to remain strong. We have not had to increase our rates for employees/dependant coverage in four years due to the fact our loss in claims has been favorable. We are not proposing an increase in employee contributions at this time. This will be the fifth consecutive year without an increase. I anticipate that next year (2013/2014) that will definitely change.

Every year, Macon County strives to improve services, recruit and retain quality employees and work to maintain and improve the quality of life for residents and visitors alike. We are committed to maintaining our leadership position in Western North Carolina. Macon County enjoys a reputation of being a forward thinking progressive county that seeks to preserve the quality of life while carefully balancing the needs of our citizens and the tax burden they are asked to bear. I believe this proposed county budget reflects that commitment.

There are several key issues we have addressed as we prepared this spending plan for next year. Here are a few highlights of that plan. A full and complete line item detail has been prepared that gives a thorough breakdown of each expenditure, appropriation and revenue source.

The state is still facing yet another budget crisis next year. With the General Assembly in session we remain concerned that the state could shift additional responsibilities and/or reduce county funding to correct its budget crisis. We hope that will not be the case. We have been reassured by our legislators that the state will not balance their budget on the backs of the counties this year. So far they seem to be holding to that pledge. I remain guardedly optimistic.

Education remains a priority for Macon County.

In the past four years Macon County has made an enormous commitment to our local educational system in terms of capital improvement needs as the following demonstrates.

Macon County Public School Capital Funding

Capital improvements to East Franklin Elementary School (QZAB)	\$2,000,000
New Intermediate School and expansion to East Franklin	\$20,000,000
Purchase (Owens) property for Mountain View Intermediate	\$2,600,000
Nantahala Renovation (QZAB)	\$1,800,000
Iotla Valley Elementary School Construction	\$13,869,000
Franklin High School Improvements	\$1,321,000
Highlands School Improvements and sports fields	\$ 938,000
Macon Middle School Air Conditioning	\$80,000
South Macon Access Road	\$88,657
Union Academy roof replacement	\$62,765

Total County Funded School Capital Projects since 2008	\$42,759,422
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We plan to complete the window replacement on the Nantahala School in the coming year. Leftover QZAB funds and a small local appropriation will finish this item that was omitted in the original project due to shortage of funding at that time.

The critical need at this time in our school system is Technology.

The county is well aware that the current situation regarding computer upgrades is far behind where it needs to be. With the elimination of ADM funding for technology by the state, our replacement schedule has grown from a five year replacement schedule to a nine year replacement schedule. In addition to that, in less than two years (2014) the state will require all local School Systems to be able to do assessments, and send end of grade reports electronically to Raleigh. In order to meet this critical need now it will require an estimated \$1,500,000 in funding specifically for Information Technology. This budget includes a proposal to seek a low interest (around 1.75%) short term (54 month) loan in order to immediately address this issue. The debt will be paid back in yearly fund balance appropriations. This would not only solve the immediate problem but preserve the county fund balance in case of emergency. The estimated loan payment of \$311,829 is included in this proposed budget. If the economy improves the county would reserve the right to retire the debt before the end of the term.

**Macon County Schools County Funding
For Current Expense and Debt Service**

FY 12-13 Current Exp- CO-Solid Waste- Supplement- Debt Service-	\$ 12,384,421
FY 12-13 Total Macon County General Fund Budget	\$44,275,869
Percent of Total General Fund Budget	28%
County Property Taxes	\$ 25,332,740
Appropriation as a Percent of Property Taxes	48.89%

The proposed **FY 2012/2013** budget recommends the county appropriation to the **School Current Expense** budget increase to the FY 2009/2010 level of **\$6,911,000** and the **Capital Outlay Budget** be funded at **\$256,000**. With current capital outlay at this level of funding the School System could be able to meet at least some of their current critical capital needs. As noted earlier, county funding addresses the **\$1,500,000 technology** need in the school system. The proposed budget continues to include full funding for the **teacher supplement**.

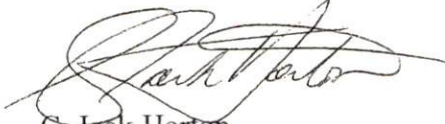
Public Safety

Another ongoing concern and high priority is public safety. With this in mind the recommendation in this proposed budget is to replace two four wheel drive ambulances in the EMS Department, and six patrol vehicles in the Sheriff's Department. This will help Macon County preserve our rotation system and preserve our readiness to be fully prepared and able to respond effectively and efficiently when the need arises.

Funding for outside agencies in the Special Appropriations budget remains at current year levels.

The proposed budget for Macon County for Fiscal Year 2012/2013 as required by state statute is balanced with revenues and expenditures of \$44,275,869 and is hereby submitted for your review and consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "C. Jack Horton", written over a horizontal line.

C. Jack Horton
County Manager/Budget Officer

ADA CODE	DESCRIPTION	Proposed Fee	Medicaid Rate	Sliding Scale for Fee for Service Clients		
				50%	75%	100%
D5110	COMPLETE DENTURE - MAXILLARY	\$1,138.00	\$569.20	569.00	853.80	1138.40
D5120	COMPLETE DENTURE - MANDIBULAR	\$1,138.00	\$569.20	569.00	853.80	1138.40
D5130	IMMEDIATE DENTURE - MAXILLARY	\$1,234.00	\$617.47	617.00	926.21	1234.94
D5140	IMMEDIATE DENTURE - MANDIBULAR	\$1,234.00	\$617.47	617.00	926.21	1234.94
D5211	MAXILLARY PARTIAL DENTURE - RESIN BASE	\$844.00	\$422.12	422.00	633.18	844.24
D5212	MANDIBULAR PARTIAL DENTURE - RESIN BASE	\$844.00	\$422.12	422.00	633.18	844.24
D5410	ADJUST COMPLETE DENTURE MAXILLARY	\$62.00	\$30.96	31.00	46.44	61.92
D5411	ADJUST COMPLETE DENTURE MANDIBULAR	\$62.00	\$30.96	31.00	46.44	61.92
D5421	ADJUST PARTIAL DENTURE MAXILLARY	\$62.00	\$30.96	31.00	46.44	61.92
D5422	ADJUST PARTIAL DENTURE MANDIBULAR	\$62.00	\$30.96	31.00	46.44	61.92
D5510	REPAIR BROKEN COMPLETE DENTURE - COMPLETE DENTURE	\$150.00	\$75.09	75.00	112.64	150.18
D5520	REPLACE MISSING OR BROKEN TOOTH	\$128.00	\$63.75	64.00	95.63	127.50
D5610	REPAIR RESIN DENTURE BASE	\$150.00	\$75.09	75.00	112.64	150.18
D5640	REPLACE BROKEN TEETH	\$128.00	\$63.75	64.00	95.63	127.50
D5730	RELINE COMPLETE MAXILLARY DENTURE	\$264.00	\$132.05	132.00	198.08	264.10
D5731	RELINE COMPLETE MANDIBULAR DENTURE	\$264.00	\$132.05	132.00	198.08	264.10
D5740	RELINE MAXILLARY PARTIAL DENTURE	\$258.00	\$129.78	129.00	194.67	259.56
D5741	RELINE MANDIBULAR PARTIAL DENTURE	\$258.00	\$129.78	129.00	194.67	259.56

NOTES: 100% pay is equivalent to most private dental practice charges

All fees slide to Medicaid Rate

Majority of fee for services clients slide to 50% pay which is equal to the Medicaid Rate

Average cost for a full set of dentures uppers and lowers for one our clients will be between \$1,138 and \$1,234

Fees go to cover the cost of the dental staff, materials and dental laboratory

CHANGE ORDER

Number: 3

PROJECT: Macon County K-4 Elementary School On-site
Water and Sewer Systems

DATE OF ISSUANCE: April 26, 2012

OWNER: Macon County

ENGINEER: Civil Design Concepts, P.A.

CONTRACTOR: McCarroll Construction, Inc.

ENGINEER'S PROJECT NO. 208102

CONTRACT FOR: Water and Sewer System Installation

You are directed to make the following changes in the Contract Documents.

Description: 3" DIP Domestic Water Line & 6" DIP Sewer Line per McCarroll Construction's RCO #3 / Under-drain pipe at Septic Pods per McCarroll Construction's RCO #5

Purpose of Change Order: Pipe crossing of water main & sewer coming out the lower end of the school / To provide drainage underneath the septic Pods.

Attachments (List documents supporting change): RCO Number: 003, Dated 02/24/12 and 005, Dated 04/06/12 from McCarroll Construction

CHANGE IN CONTRACT PRICE:

Original Contract Price

\$ 1,263,000.00

CHANGE IN CONTRACT TIME:

Original Contract Time

365 Days

Previous Change Orders No. 1, 2

Net Change From Previous Change Orders

\$ 50,785.00

(-285) Days

Contract Price Prior to This Change Order

Contract Time Prior to This Change Order

\$ 1,313,785.00

169 Days

Net Increase of This Change Order

Net Decrease of This Change Order

\$ 4,700.00

0 Days

Contract Price With All Approved Change Orders

Contract Time With All Approved Change Orders

\$ 1,318,485.00

130 Days - Substantial Completion
160 Days - Final Completion

RECOMMENDED:

Print: Patrick Brannan

Sign: Patrick Brannan

Engineer

APPROVED:

Print: John Hester

Sign: John Hester

Owner

APPROVED:

Print: Craig Price

Sign: Craig Price

Contractor



May 9, 2012

Mr. Chris Stahl, Director
Solid Waste Management Department
Macon County
109 Sierra Drive
Franklin, North Carolina 28734

RE: Recommendation of Award
Trailer Staging Area Improvements
Highlands MSW/C&D Transfer Station
Macon County, North Carolina

Dear Mr. Stahl:

McGill Associates has reviewed the bid submitted by Taylor & Murphy Construction Company, Inc. for the Trailer Staging Area Improvements, Highlands MSW/C&D Transfer Station. We understand that a bid opening was held on May 4, 2012 at 3:00 p.m. in the office of the Macon County Purchasing Agent. One bid was received, publicly opened and read aloud by Ms. Lindsey McConnell, Purchasing Agent for Macon County. The Bid result is as follows:

<u>Bidder</u>	<u>Bid Total</u>
Taylor & Murphy Construction Company, Inc.	\$62,720.00

Macon County provided the Bid to McGill Associates to review for accuracy and completeness. A Bid Tabulation form is enclosed for your files. Taylor & Murphy Construction Company, Inc. of Asheville, North Carolina submitted the only Bid received in the amount of \$62,720.00 for the referenced project. We have verified that Taylor & Murphy Construction Company, Inc. is properly licensed to perform the proposed work. An acceptable Bid Bond was supplied by the Bidder in the amount of 5 percent (5%) of the Total Bid.

Based on our review of the Bid and our prior experience with Taylor & Murphy Construction Company, Inc., it is the opinion of McGill Associates that Taylor & Murphy

E n g i n e e r i n g • P l a n n i n g • F i n a n c e

McGill Associates, P.A. • P.O. Box 2259, Asheville, NC 28802 • 55 Broad Street, Asheville, NC 28801

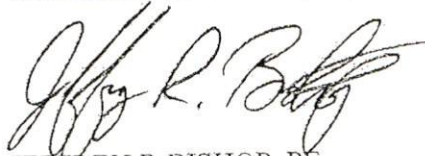
828-252-0575 • Fax: 828-252-2518

Mr. Chris Stahl
May 9, 2012
Page 2

Construction Company is adequately qualified and capable of completing the work for this project. McGill Associates recommends that the construction contract for the Trailer Staging Area Improvements, Highlands MSW/C&D Transfer Station be awarded to Taylor & Murphy Construction Company in the amount of \$62,720.00.

Please do not hesitate to call if you have any questions or need additional information.

Sincerely,
McGILL ASSOCIATES, P.A.



JEFFREY R. BISHOP, PE
Director of Solid Waste Services

Enclosure

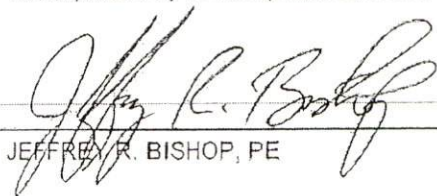
p:\11.00710\letters\12 0509 - C Stahl - Rec of Award.doc

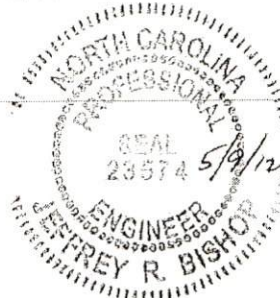
BID TABULATION
TRAILER STAGING AREA IMPROVEMENTS
HIGHLANDS MSW/C&D TRANSFER STATION
MACON COUNTY, NORTH CAROLINA

				Taylor & Murphy Construction Co., Inc. P.O. Box 6215 Asheville, NC 28816 NC Lic #: 5174	
Item No.	Description	Est. Quantity	Unit	Unit Price	Extension
1	Mobilization	1	LS	\$4,500.00	\$4,500.00
2	6" Ductile Iron Pipe Gravity Stormwater Drain Line	1	LS	\$5,000.00	\$5,000.00
3	6" Ductile Iron Pipe Gravity Leachate Collection Line	1	LS	\$14,845.00	\$14,845.00
4	Cleanouts - 6" Ductile Iron Pipe Gravity Leachate Collection Line	3	EA	\$600.00	\$1,800.00
5	Cast-in Place Turn Down Concrete Slab Complete With Heavy Duty Cast Iron Frame and Grate	2	EA	\$13,000.00	\$26,000.00
6	2" PVC Water Supply Line Complete with Yard Hydrant	1	LS	\$5,500.00	\$5,500.00
7	Pipe Bollards	3	EA	\$850.00	\$2,550.00
8	Conical Drain Plugs	3	EA	\$400.00	\$1,200.00
9	Compacted Aggregate Base Course Surfacing	15	TON	\$40.00	\$600.00
10	Seeding, Fertilizing and Mulching	1	LS	\$725.00	\$725.00
BID TOTAL					\$62,720.00



This is to certify that the Bid tabulated herein, as provided to McGill Associates, P.A., by Macon County, North Carolina, for the Bid received, opened and read aloud by the County at 3:00 p.m. on Friday, May 4, 2012 in the office of the Macon County Purchasing Agent is correct as submitted and that said Bid was accompanied by an acceptable Bid Bond in the amount of 5% of the Bid.


JEFFREY R. BISHOP, PE



**RESOLUTION AUTHORIZING THE BOARD OF COMMISSIONERS FOR THE
TOWN OF HIGHLANDS TO ISSUE PERMITS PURSUANT TO ARTICLE 54 OF
CHAPTER 14 OF THE NORTH CAROLINA GENERAL STATUTES FOR
PYROTECHNICS TO BE EXHIBITED, USED, OR DISCHARGED WITHIN THE
CORPORATE LIMITS OF THE TOWN OF HIGHLANDS FOR USE IN CONNECTION
WITH THE CONDUCT OF CONCERTS OR PUBLIC EXHIBITIONS**

THAT WHEREAS, the provisions of N.C. Gen. Stat. § 14-413 (a1) provides that for the purpose of enforcing the provisions of Article 54 of Chapter 14 of the North Carolina General Statutes concerning pyrotechnics, a board of county commissioners may authorize the governing body of any city in the county to issue permits pursuant to the provisions of Article 54 of Chapter 14 of the North Carolina General Statutes for pyrotechnics to be exhibited, used, or discharged within the corporate limits of the city for use in connection with the conduct of concerts or public exhibitions; and

WHEREAS, in order for a board of county commissioners to grant such authority to the governing body of a city, it must adopt an appropriate resolution in accordance with the provisions of N.C. Gen. Stat. § 14-413 (a1); and

WHEREAS, the Macon County Board of County Commissioners desires to authorize the Governing Body for the Town of Highlands to issue permits pursuant to the provisions of Article 54 of Chapter 14 of the North Carolina General Statutes for pyrotechnics to be exhibited, used, or discharged within the corporate limits of the Town of Highlands for use in connection with the conduct of concerts or public exhibitions and for the purpose of enforcing the provisions of Article 54 of Chapter 14 of the North Carolina General Statutes concerning pyrotechnics.

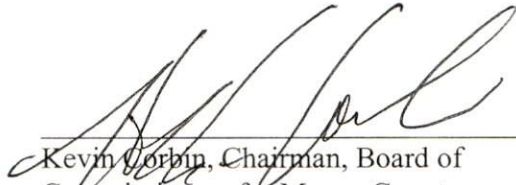
NOW THEREFORE, upon motion of Commissioner Tate,
seconded by Commissioner Beale, and approved, be it hereby resolved
that:

1. Pursuant to the provisions of N.C. Gen. Stat. § 14-413 (a1) and for the purpose of enforcing the provisions of Article 54 of Chapter 14 of the North Carolina General Statutes concerning pyrotechnics, the Macon County Board of County Commissioners does by this resolution hereby authorize the Board of Commissioners for the Town of Highlands which is the Governing Body of the Town of Highlands to issue permits pursuant to the provisions of Article 54 of Chapter 14 of the North Carolina General Statutes for "pyrotechnics", as that term is defined in N.C. Gen. Stat. § 14-414, to be exhibited, used, or discharged within the corporate limits of the Town of Highlands only and only for use in connection with the conduct of concerts or public exhibitions.
2. Pursuant to the provisions of N.C. Gen. Stat. § 14-413 (a), the Board of Commissioners for the Town of Highlands which is the Governing Body of the Town of Highlands may issue

such permits only after satisfactory evidence is produced to the effect that said pyrotechnics will be used in connection with the conduct of concerts or public exhibitions, such as fairs, carnivals, shows of all descriptions and public celebrations and no other purpose.

3. Pursuant to the provisions of N.C. Gen. Stat. § 14-413 (b), for any indoor use of "pyrotechnics", as that term is defined in N.C. Gen. Stat. § 14-414, at a concert or public exhibition, the Board of Commissioners for the Town of Highlands which is the Governing Body of the Town of Highlands may not issue any permit unless the local fire marshal or the State Fire Marshall has certified that:
 - A. Adequate fire suppression will be used at the site;
 - B. The structure is safe for the use of such pyrotechnics with the type of fire suppression to be used; and
 - C. Adequate egress from the building is available based on the size of the expected crowd.
4. Pursuant to the provisions of N.C. Gen. Stat. § 14-413 (d), the Board of Commissioners for the Town of Highlands which is the Governing Body of the Town of Highlands shall not issue a permit under the provisions of N.C. Gen. Stat. § 14-413 or the provisions of this Resolution unless the display operator provides proof of insurance in the amount of at least five hundred thousand dollars (\$500,000) or the minimum amount required under the North Carolina State Building Code pursuant to the provisions of N.C. Gen. Stat. § 143-138 (e), whichever is greater. The Board of Commissioners for the Town of Highlands which is the Governing Body of the Town of Highlands may require proof of insurance that exceeds these minimum requirements.
5. The Board of Commissioners for the Town of Highlands which is the Governing Body of the Town of Highlands shall at all times comply strictly with all of the provisions of Article 54 of Chapter 14 of the North Carolina General Statutes.
6. This Resolution shall in no way be construed to create any agency relationship or other relationship between Macon County and the Town of Highlands or their respective Boards.
7. This Resolution shall remain in effect until the same is withdrawn by the Macon County Board of County Commissioners adopting a subsequent resolution withdrawing the authority granted herein.

Read and approved by vote of those members in attendance, and adopted, in this Regular Meeting of the Macon County Board of County Commissioners this the 8th day of May, 2012.


Kevin Corbin, Chairman, Board of
Commissioners for Macon County

ATTEST:


Clerk to the Board of Macon County Commissioners

(County Seal)



**AN ORDINANCE AMENDING “AN ORDINANCE REGULATING THE USE OF THE
LITTLE TENNESSEE RIVER GREENWAY, AS AMENDED**

Whereas, on September 9, 2002, the Board of Commissioners of Macon County adopted an ordinance entitled: *An Ordinance Regulating the Use of the Little Tennessee River Greenway*; and

Whereas, the Board of Commissioners has indicated that it would be willing to permit a fenced and gated “dog park” at the Little Tennessee River Greenway within which dogs may be allowed without being on leashes, crated or caged; and

Whereas, said Ordinance presently prohibits a person, firm or corporation from bringing onto Greenway property, or possessing an animal (other than a seeing eye dog) on said property unless it is crated, caged, or restrained by a leash not longer than six feet; and

Whereas, the Board of Commissioners has determined that the citizens of Macon County will be better served by amending such Ordinance so as to permit, subject to reasonable rules, a person, firm or corporation to bring dogs within those areas now or hereafter designated as a “dog park” at the Little Tennessee River Greenway without such dogs being on leashes, crated or caged.

Now therefore be it ordained that the Board of Commissioners of Macon County, pursuant to N.C. Gen. Stat. § 153A-121, hereby amends the Macon County Ordinance, entitled, *An Ordinance Regulating the Use of the Little Tennessee River Greenway*, as amended, as follows:

First Amendment


Section 28.302. Animals, A., is amended by adding the following at the end of A.:

“That notwithstanding the foregoing, and subject to the provisions contained hereinafter, a person, firm or corporation may bring onto or possess a dog within the areas located at the Greenway property which are fenced and gated and which are designated as a “dog park” and such dog does not have to be on a leash, crated or caged while within the area designated as a “dog park”. However, no person, firm or corporation may at any time bring onto or possess a dog which is aggressive, potentially dangerous or dangerous within the areas designated as a “dog park” which are located within the Greenway property unless such dog is adequately restrained by leash, crated or caged at all times.”


These amendments to *An Ordinance Regulating the Use of the Little Tennessee River Greenway* are adopted by the Board of Commissioners pursuant to N.C. Gen. Stat. § 153A-121 on the 15th day of May, 2012.

Board of Commissioners of Macon County

By:


Kevin Corbin, Chairman

Attest:


Clerk to the Board



AMENDMENT # 182

DEPARTMENT: HEALTH

EXPLANATION: New monies awarded from state. See attached Agreement Addendum.

[illegible]

REQUESTED BY DEPARTMENT HEAD Keay

RECOMMENDED BY FINANCE OFFICER _____

APPROVED BY COUNTY MANAGER

ACTION BY BOARD OF COMMISSIONERS

APPROVED AND ENTERED ON MINUTES DATED _____

CLERK _____

MACON COUNTY BUDGET AMENDMENT
AMENDMENT # 183

DEPARTMENT: Soil Conservation

EXPLANATION: Appropriate grant received from Wal-Mart in the amount of \$2,500. The County had to apply for the grant on behalf of Mountainview Intermediate School. The County is acting as the pass-thru agent.

[illegible]

REQUESTED BY DEPARTMENT HEAD _____

RECOMMENDED BY FINANCE OFFICER C. K. Marshall

APPROVED BY COUNTY MANAGER _____

ACTION BY BOARD OF COMMISSIONERS 5/8/2012 agenda

APPROVED AND ENTERED ON MINUTES DATED _____

CLERK _____

MACON COUNTY BUDGET AMENDMENT
AMENDMENT # 186

DEPARTMENT: HEALTH

EXPLANATION: Insurance claim check # 33835021 for 668.85 was mailed to county for damage to refrigerator. Check was deposited into county line. Need to move money to cover repair of refrigerator. Total due for repair is 1668.85 plus tax.

[illegible]

REQUESTED BY DEPARTMENT HEAD

RECOMMENDED BY FINANCE OFFICER

APPROVED BY COUNTY MANAGER

ACTION BY BOARD OF COMMISSIONERS

5/15/12 agenda (5/8/12 Continuation)

APPROVED AND ENTERED ON MINUTES DATED

CLERK

May 11, 2012

FROM: FINANCE

EXPLANATION: Additional allocation for Haywood Electric Assistance

CLERK _____