

MACON COUNTY BOARD OF COMMISSIONERS
February 8, 2022
MINUTES

Chairman Tate called the meeting to order at 6:00 p.m. and welcomed those in attendance. All Board Members, County Manager Derek Roland, Deputy Clerk Mike Decker, Finance Director Lori Carpenter, County Attorney Eric Ridenour, members of the news media, county employees and interested citizens were present.

ANNOUNCEMENTS: Commissioner Beale requested that Mr. Roland share about the loss of a county employee that we need to remember tonight. Mr. Roland stated that Stephen Pitts, an employee at the garage, had passed.

MOMENT OF SILENCE: Chairman Tate requested that all in attendance rise and a moment of silence was observed.

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

PUBLIC HEARING(S): None

PUBLIC COMMENT PERIOD: **Narelle Kirkland** shared her appreciation to the board for resolving the county line issue with Jackson County. She asked for an update on repairs to the Little Tennessee River Greenway. Chairman Tate responded that the county's recreation board had met earlier today and will be pursuing a grant in the amount of \$11,000 to make some repairs to the greenway. Ms. Kirkland showed a hand drawn map she had made to show her point about safety issues at the parking lot at Fox Ridge. Ms. Kirkland also requested consideration of placing signs along the Greenway to encourage users to leash their dogs. **Tim Shaw** provided an update about the skate park (SK828) that is being built at the Sunnyside Park. He shared that the Town of Franklin has donated land for the park, valued at \$12,500, and also paid \$15,000 for the design blueprint for the park. He also noted that JE Dunn Construction Group will be assisting the town with materials, labor and expertise and that the LBJ Job Corps will be assisting with construction. Mr. Shaw shared that groundbreaking is scheduled for April 1, 2022. He also stated that students from the SK828 group have raised over \$3,200, which was sent to the Region A Foundation, a 501©3 organization that will be handling donations, and over

\$6,400 has been raised through a GoFundMe page. Mr. Shaw said the park has a projected cost of \$140,000 and requested \$50,000 – as well as any park equipment or supplies not in use – be given by this board in support of the park. No action was taken.

ADDITIONS, ADJUSTMENTS TO AND APPROVAL OF THE AGENDA: Upon a motion by Commissioner Higdon, seconded by Commissioner Young, the board voted unanimously to approve the agenda, as presented.

Update on and consideration of request from the Nikwasi Initiative – Mr. Roland referenced a letter contained in the agenda packet from the Eastern Band of Cherokee Indians, which was one of the items this board requested from the Nikwasi Initiative at the last regular meeting. He indicated the letter supports the cause but does not indicate any specific financial support. Mr. Roland also referenced a letter in the packet from Franklin Mayor Jack Horton, Town of and a letter from the town’s attorney, John Henning, Jr., requesting the Nikwasi Initiative return to the organization’s original by-laws. Mr. Roland reported he spoke with Franklin Town Manager Amy Owens just prior to this meeting and indicated the town did not approve a formal letter of support for the Nikwasi Initiative at the town council’s meeting last night (February 7th). He also stated he had not received a letter from MainSpring, as requested. Commissioner Beale stated he had made a motion at the last meeting, but does not see that what Mr. Roland presented meets the criteria for the board’s support and recommended the subject be tabled until such time as the criteria is met. After a brief discussion, Chairman Tate agreed to table the item until the requested information is received. No vote was necessary.

Consideration of revised fire district map for Franklin Fire and Rescue – Emergency Services Director Warren Cabe presented updated information on the status of Franklin Fire and Rescue’s service area now that the department’s new substation is complete and provided copies of a revised district map [Attachment 1]. Mr. Cabe shared that Franklin Fire and Rescue has completed construction of the substation, located off of NP&L Loop, and the facility is in service. He stated the need to change the district map, as now approximately 913 properties where homeowners’ insurance rates will change due to the proximity of the substation by moving from a six-mile to a five-mile district – a benefit to homeowners whose rates will decrease and for those who were previously unable to purchase insurance. Upon a motion by Commissioner Young, seconded by Commissioner Shields, the board voted unanimously to approve the map as presented.

Appointment of Local Firefighter Relief Fund Trustees – Mr. Cabe explained that volunteer fire departments annually receive a very small amount of funds from the homeowner insurance premiums which can only be used for

scholarships for the members, accident or sickness type insurance policies, hardship assistance, etc. He said most departments do not even get \$1,000 per year and that the fire departments have to have a board separate from their board of directors that approves how this money is spent. Two fire departments are asking for approval of appointees as follows:

(1) Mountain Valley (2) – Joyce Carpenter and Jill Picklesimer

(2) Cullasaja Gorge (1) – Robert Henry

Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve the members as requested.

Consideration of bond agreement regarding Mountain Breeze subdivision –

Planning Director Joe Allen presented a request from Scott Cole, the developer of the Mountain Breeze subdivision, asking that Mr. Cole be allowed to enter into a bond agreement with the county for 125 percent of the estimated cost to complete the improvements to the subdivision in lieu of completing all of the improvements. Mr. Allen noted this would require a secured performance bond in the amount of \$51,025. A copy of the agreement [Attachment 2] is attached. Upon a motion by Commissioner Higdon, seconded by Commissioner Young, the board voted unanimously to approve the agreement as presented.

Consideration of Change Order #014 on the Macon Middle School Renovations project –

Jack Morgan explained the need for the latest change order on the Macon Middle School renovation project, which totals \$56,388.84 and covers 14 separate item. A copy of the change order [Attachment 3] is attached. Ms. Carpenter reported that the balance in the project contingency's line item is roughly \$444,000. Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve the change order as presented.

Ratification of telephone poll regarding grant submission to the Needs Based Public School Capital Fund –

Mr. Roland reminded members of the discussion at the budget kickoff meeting on February 3, 2022 of plans to pursue a grant application. He said he has worked with school board members, Macon County Schools Superintendent Dr. Chris Baldwin and the architect to prepare and submit the application. Mr. Roland stated there is \$359 million available and the county is getting in line to receive up to \$50 million, if awarded, with a 5 percent county match. He stated he received a consensus from the board to submit the applicant and the board simply needs to ratify that action at this time. Upon a motion by Commissioner Shields, seconded by Commissioner Young, the board voted unanimously to ratify the action in support of the grant application.

Schedule/reschedule public hearings for the March 8, 2022 regular meeting

– County Attorney Eric Ridenour presented the need for public hearings on the following revised ordinances:

- (1) Revisions to the Building Code ordinance. Upon a motion by Commissioner Beale, seconded by Commissioner Young, the board voted unanimously to schedule a public hearing as requested on March 8, 2022.
- (2) Revisions to the Building Height ordinance. Upon a motion by Commissioner Young, seconded by Commissioner Beale, the board voted unanimously to schedule a public hearing as requested on March 8, 2022.
- (3) Revisions to the Soil and Erosion Control ordinance requested by the State of North Carolina. Upon a motion by Commissioner Young, seconded by Commissioner Shields, the board voted unanimously to schedule a public hearing as requested on March 8, 2022.
- (4) Reschedule hearing on the Wireless Telecommunications ordinance. Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to schedule a public hearing as requested on March 8, 2022.
- (5) Reschedule hearing on the Airport Hazard ordinance. Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to schedule a public hearing as requested on March 8, 2022.

CONSENT AGENDA: Chairman Tate requested that Item (D) in the Consent Agenda, “Order tax collector to advertise tax liens and collect any unpaid taxes,” be removed for further discussion. Upon a motion by Commissioner Shields, seconded by Commissioner Beale, the board voted unanimously to approve the consent agenda as amended, which includes: (A) Minutes of the January 11, 2022 regular meeting, (B) Budget Amendments #143-151, (C) Tax releases for January 2022 in the amount of \$3,337.99, and (E) the Monthly ad valorem tax collection report, for which no specific action is necessary.

Order tax collector to advertise tax liens and collect any unpaid taxes –

Chairman Tate reported he received a delinquent tax notice even though his taxes are supposed to be paid from escrow. He was concerned that letters had been sent out before this item was approved and wondered if the attorney needed to be consulted. Mr. Decker explained that the action item is to advertise the liens, not approval to send the letter. Ms. Carpenter concurred with Mr. Decker. Chairman Tate requested the letter be reviewed to make sure a corrected letter was not needed. Upon a motion by Commissioner Young, seconded by Commissioner Shields, the board voted unanimously to approve advertisement of the liens. Mr. Roland told the board he will check on the letter.

CLOSED SESSION – At 6:41 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Shields the board voted unanimously to go into closed session as allowed under NCGS 143-318.11(a)(3) in order to preserve the attorney client privilege and to discuss potential property acquisition with a plan to take no action following the closed session. At 7:31 p.m., upon a motion by Commissioner Higdon, seconded by Commissioner Young, the board voted unanimously to come out of closed session and return to open session. No action was taken.

ADJOURN: At 7:32 p.m., upon a motion by Commissioner Higdon, seconded by Commissioner Shields, the board voted unanimously to adjourn.

Derek Roland
Ex Officio Clerk to the Board

Jim Tate
Board Chair