

**MACON COUNTY BOARD OF COMMISSIONERS**  
**MAY 11, 2021**  
**MINUTES**

Chairman Tate called the meeting to order at 6:00 p.m. All Board Members, County Manager Derek Roland, Deputy Clerk Mike Decker, Finance Director Lori Carpenter, County Attorney Eric Ridenour and members of the news media were present, as were a number of county employees and citizens. A motion to recess was made by Commissioner Higdon, seconded by Commissioner Beale, for a brief recess in order for the meeting to be relocated to the fourth floor in Courtroom A due to the number of people in attendance. Chairman Tate reconvened the meeting in Courtroom A at approximately 6:10 p.m.

**ANNOUNCEMENTS:** None.

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

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

**PUBLIC HEARING:** None.

**PUBLIC COMMENT PERIOD:**

(A) **Peter Stern** – shared his concerns about voting integrity and all the pros and cons in regard to voter ID. He stated his concern is that one ineligible voter can nullify another’s vote. He advised that unless there is verification by signature or picture ID there is no way to audit a vote and determine if these things are occurring. Mr. Stern stated that in 2018 North Carolina voters voted to amend the state constitution to require voter ID. He requested the board entertain a resolution to formally adopt that amendment in Macon County regardless of what is happening in the rest of the state. Mr. Stern stated that if the board members were interested he would bring a draft resolution to the next meeting for their consideration.

(B) **Tawana Valentine** – shared her background as a substitute teacher, coach, volunteer, member of various boards, Guardian

Ad Litem, etc., and that she is currently providing mental health services to residents of Macon County and has children in the Macon County school system. She stated her perspective on arts in the schools is from the mental health perspective. She referred to the 2018 Community Health Assessment in which mental health was listed as a priority. She stated that art can be utilized as a proactive venue for assisting our children. She emphasized that students at Macon Middle and Union are at a crucial age when they are looking for alternative ways to stimulate their mood. She would like the board to consider how this can be done through music, art and theater just as it can be done through drugs and sex and that we must choose the options that point to more supportive means for our students. Ms. Valentine also spoke about research from the learning and mental health perspective which has proven that the arts are beneficial in helping children learn, increase academic performance and improve overall mental health.

(C) **Maggie Jennings** – shared her perspective on the arts as well as her personal experience participating in the choral program as a youth. Mrs. Jennings stated that she has two children growing up here and in Macon County schools that do not have access to an arts program like she did. She indicated that the school board has submitted a budget proposal to this board that includes additional positions that have not been previously funded, some of which are arts positions which have been requested for some time. She stated that she believes Macon County can be top of the line in providing these programs essential to our children. She requested that as the board starts into the budget process they entertain those numbers and do what they can do to meet those needs, especially those that have been lost through attrition and loss of funding, increasing the schools’ budget to allow these programs. Commissioner Beale suggested Mrs. Jennings contact Senator Corbin and others at the state level as it was the state who removed the funding from the school budget.

(D) **Sara O’Neal** stated she has been a public educator for 22 years, with 17 of those years teaching art education. Ms. O’Neal stated she had seen firsthand the positive impact the arts can have on students and shared some of her experiences. Ms. O’Neal provided stats regarding the arts at Macon Middle including that it has been five years (925 instructional days

and 6,475 instructional hours) with no chorus at Macon Middle School and, it has been 11 years with no art at Macon Middle School (2,235 instructional days and 14,245 instructional hours). Ms. O'Neal ended with some quotes from her students and the request that the board consider funding these positions as our students deserve to have what students in the surrounding counties have.

**(E) Carol Lynn Johnson**, a member of Macon County Arts Association, stated she wanted to explain to the board why arts education is critical to our youth and how arts education impacts their academic career as well as the rest of the lives. Ms. Johnson provided several statistical and research findings of how the arts add to the academic success as well as emotional and mental health of students. Ms. Johnson encouraged the board to consider these needs in the budget and fund whatever they can for arts, music and mental health.

**(F) Frank Smith**, President of the Macon County Art Association, shared his personal experience with the arts and stated those who spoke before him had done an excellent job of explaining that. Mr. Smith stated that as a businessman, he saw close to \$400 million dollars raised in western North Carolina by arts and crafts business people almost three years ago which is very significant. He expressed that funding arts for the students will prepare them for skills and creative outlets later in life and requested the board fund arts the best they can.

**(G) Narelle Kirkland** gave kudos to all the speakers and those in the audience who are speaking on such an important issue. She also expressed appreciation to Edwin Grant and Sheriff Holland and his staff for finding the child that was lost. She shared the article from this week's Macon County News about that incident and said "what I great story, I wish I could write something like that." Ms. Kirkland reflected that as Mr. Roland stated earlier we have finally achieved the connection of the northern and central greenway but requested the board pave the connector at the end of the bridge and the greenway, adjust the location the concrete barriers, or repair the greenway for safety purposes to allow travel beyond the bridge.

**(H) John deVille** spoke in support of arts in the schools. He stated that most of the statistics had pointed to arts in the schools during normal times but that we have not had normal

times this past year. He referred to a poll that was conducted with students and parents in regard to how they believe the pandemic relief dollars should be spent, and at the top of the list was the arts. Mr. deVille requested the board visualize the souls of the students in Macon County Schools and the events of the past year and the advantages of the arts that can restore those precious and in some cases damaged for the moment souls.

**(I) Olga Lampkin** stated she was here in support of three different items: arts in school, updating the Animal Control Ordinance specifically in regard to making anonymous reports, and a skate park. Ms. Lampkin shared her personal experience in access to the arts and those of her son.

**(J) Diana Brailsford** shared that she is new to Macon County but that she had grown up in music and band and had previously been a member of the Marine Corps Band. She stated that denying access to the arts is taking away from the world our future Marine musicians, our philharmonic musicians, future graphic designers, etc., and doing an injustice to those children. Ms. Brailsford stated she had been asked to read a letter from Janet Asbury, mother of Cory Asbury, a Christian singer/songwriter, Dove Award winner and Grammy nominee. Ms. Asbury stated Cory and her other children attended Macon County Schools and participated in the chorus programs, and added that she hopes and prays that through the arts programs in our schools that others will be encouraged to live out their passion and pursue a career in the arts.

**(K)Chloe Tallent** shared that she is graduating on Saturday with her Music Education degree and that she would not have attended college had it not been for her experience with chorus in Macon County Schools. Ms. Tallent stated she also did her student teaching recently at Macon Middle School and saw the difference that music made from the mental health perspective for students who were able to participate in the programs versus those who were not during COVID-19.

**(L) Carol Conti**, a volunteer, art teacher and professional artist, said she has taught children and adults of all ages in various educational venues. She shared her experience with a specific student she taught who had a hard time in school who was not really talented, but was able to express himself which was a

benefit for him on a mental health level. She stated there is no price for what arts can do for you and requested the board advocate for the arts in schools.

**(M)Tracy Dogan** presented some photographs of a horse that she had spoken about at the February meeting in regard to the Animal Control Ordinance. She stated she feels there are many places in the ordinance where owners can skirt the law and Animal Control Officers cannot do anything about the situation. She shared that she has called regarding this horse several times and has been told the owner is within the law. She stated that she has also reported about a goat and a dog and even though Animal Control went out, the goat died about a week later. She indicated that when she made the reports, she was told her information would be given to the owner of the animals as part of the investigation. She requested a committee be formed to make Macon County Animal Control Ordinances more effective. Ms. Dogan stated that she has spoken with Jimmy Villard at Animal Services who agrees that making ordinances more specific would assist in keeping owners from skirting the law. She proposed changing the wording of ordinances for shelter, have more enforcement and follow-up visits for probable animal abuse, and the ability to make anonymous reports. Ms. Dogan volunteered to serve on the committee and obtain copies of ordinances from other counties. Commissioner Young stated he would be glad to have the Planning Board take a look at the issue. Chairman Tate suggested Ms. Dogan take her concerns to the Planning Board and let them make recommendations back to this board.

**(N)Kyle Jennings** shared a letter written by his mother, Karen Raby. Ms. Raby's letter was a testimony of her experience with music and art when she was growing up approximately 60 years ago as a student in Macon County Schools, especially for those that could not participate in other activities. She expressed her continued appreciation for the arts and that especially during a time like a pandemic that students need this form of expression more than ever.

**(O)Jennifer Barrett-Tatum** requested the board look at the budget, look at it again, and invest in children and the arts. She also requested the board work with the town on making the park safe for children and citizens and thanked the board for agreeing to look at the Animal Control Ordinance. Ms.

Barrett-Tatum stated that she has called Animal Control on several occasions and that she lives in an area where it is not always safe to give out your information, phone number and address.

**(P) Sarah Johnson**, requested that the board consider the art and music positions others have spoken about. Ms. Johnson shared her personal experience with art in Macon County Schools as well as those of her son with music.

Chairman Tate stated that the board will begin their budget discussions at the end of this month and although he hasn't yet seen the school system's proposed budget, for every single year that he has been on the board, any spare dollars possible were allocated to the schools. He further stated that as he has said to Mrs. Jennings he does not feel it is this board's place to dictate to another board (school board) what to do with their money. Therefore, if we have additional funds this year that we allocate to the school board for operational costs, that board can decide how they want to use that funding but, he has heard each speaker and can assure their concerns will be taken into consideration as we move forward. Vice-Chairman Beale stated there is a new study coming out from NAMI in July which indicates that the arts in rehabilitation has made a real difference. He stated he believes the state should fund the arts and he does not know why they cut the funding. He shared that he has seen the effects first hand and appreciates everyone who has an opinion about this. Commissioner Beale made a motion, seconded by Commissioner Shields, to briefly recess and reconvene in the main board room since those making public comments had now left and the capacity limits decreased. The motion passed unanimously.

Chairman Tate called the meeting back to order at 7:24 p.m.

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

- To move Item 11C under New Business, Reappointment of Abby Braswell as Macon County Tax Administrator, up on the agenda, per Mr. Roland.
- To add Item 11F under New Business, Approval of a new lease agreement with NCWorks, per Mr. Roland.
- To add Item 11G under New Business, Addition of a potential grant writer, per Commissioner Young.
- To add Item 13B, Appointment to the SCC Board of Trustees, per Mr. Roland.

- To add Budget Amendments #272 and #273 to Item 12B, per Mrs. Carpenter.
- To postpone Item 11E, Resolution regarding Memorandum of Understanding relating to the settlement of the opioid litigation to next month, per Commissioner Beale.
- To remove Item 12A, Minutes of the March 9, 2021 regular meeting, per Mr. Decker.

**REPORTS AND PRESENTATIONS: None**

**OLD BUSINESS: None**

**NEW BUSINESS:**

**(A) Duke Energy request to place transmission pole on county-owned parcel and discussion regarding power grid update** – Lisa Leatherman, Duke Energy Nantahala District Manager, provided a handout [Attachment 1] and stated that Duke is making service upgrades consisting of five projects in Macon County, including one in Watauga Vista that she would like to discuss. Duke is performing grid improvements and there is a piece of property at the end of Watauga Vista where a three-phase line ends and a two-phase line begins that runs up through Watauga Vista to the top of the mountain and back down toward Jackson County. Duke would like to install a self-healing circuit which would join lines together and reduce outages and in order to do so would need to set a pole in place on the right-of-way on county property. Ms. Leatherman also shared about the other planned projects to install additional self-healing circuits which would support critical infrastructure. Commissioner Beale made a motion, seconded by Commissioner Young, authorizing Duke Power to set a pole on the property, and the motion passed unanimously.

**(B) Reappointment of Abby Braswell as Macon County Tax Administrator** – Mr. Roland shared that under Ms. Braswell’s supervision as Tax Administrator, we have switched our tax system that was in place for 45 years to a new system which is going well. Mr. Roland stated that Ms. Braswell is doing a great job and he recommends reappointing her as Tax Administrator. Upon a motion made by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to reappoint Ms. Braswell as requested.

**(C) Macon County Board of Education resolution regarding Franklin High School** – Macon County Schools Superintendent Dr. Chris Baldwin shared that over the years both boards have had many discussions regarding moving the high school to another location which has not been

feasible, as well as making various improvements with some of those being completed. Dr. Baldwin stated this resolution comes with the possibility of a new Franklin High School at its current location. There have been some discussions with the NOVUS architectural firm regarding the feasibility of the project on the current site with minimal disruption to the students, disruption to the construction and minimal security issues. A PowerPoint presentation [Attachment 2] by Emily Kite with NOVUS provided an overview of the process that the school board has undertaken in reviewing the various options available to them. The presentation included a new site evaluation and challenges, existing campus evaluation and challenges and proposed schedule. Phase I would be a new stadium using dirt from the current practice field which would lead the way to Phase II construction of a new building where the current practice field is located. The final phase would include demolition of the remaining buildings, parking and ball fields. Ms. Kite stated this presentation is purely a conceptual framework that came about as they volunteered their time to work with school officials to brainstorm options. Brian Walker, Vice-President with Vannoy Construction, spoke about the conceptual budget based on a 150,000-170,000 square foot building, site preparation, demolition, etc., at a cost between \$60 and \$70 million; design costs between \$3.5 and \$4.5 million; final inspections, technology, testing and fees at a cost of \$12 - \$14 million for a total cost of \$75.8 to \$88.85 million. Commissioner Shields stated that he would like to see the project move forward as this is an investment in the students of Macon County as we are currently sitting on a time bomb if a resolution is not reached. He emphasized this was the time for us to move into the 21<sup>st</sup> Century as our schools were not up to the current times with technology, offerings, etc. Commissioner Beale asked about the drainage issues with the current football field and parking areas and requested the architects and engineers keep those issues in mind as the planning and implementation process continues. Commissioner Young expressed his appreciation for the folks that have worked on this conceptual plan and stated he is excited to see it move forward. Chairman Tate shared that he represents District I in this county that represents about 50 percent of the tax base and the majority of students in that district do not even school at this location but, said he is ready to support this, it is time to go to work. Commissioner Higdon stated that we just finished a Capital Improvement Plan for Macon County and that we did not even include the needs of the Board of Education in that plan. He highlighted some of the projects in that plan and the estimated cost and moving forward with the project would eliminate any of those projects in his assessment. Commissioner Higdon stated that he wants to know exactly what this is going to cost the taxpayers because we have to sell this to the Macon County residents

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and not just to the five to six gentlemen sitting here. He shared that he feels that one conversation happened behind closed doors and now we are jumping on the wagon; however, he is not ready to jump on the ship yet. Commissioner Shields stated you can only talk about something for so long and emphasized it is time to do something to fix this. Chairman Tate requested Mr. Roland to look at how we could pay for this project. Mr. Roland stated that just to get started we would have to pay \$3.5 to \$4 million dollars in architect fees and the only option currently would be to take that out of fund balance. He reminded the board that a couple of months ago we issued \$21 million in bonds with a contingency for the interest rate we received based on no substantial decline occurring in that fund balance. He explained that we are also in the process of advertising bids for a \$1.4 million locker room at Macon Middle School which was also contemplated to come out of fund balance. Mr. Roland further stated that we also recently purchased the building in Nantahala out of fund balance. Ms. Kite suggested a Request For Qualifications (RFQ) be put out for the completion of an advanced planning study which would allow further study of the cost and design elements that could be reviewed by the board in intervals. Mr. Roland indicated we would need to review all of this with our financial advisors and that at this time he would recommend the board not take these funds out of fund balance due to the signed agreement not to have a significant decrease of our fund balance.

**(D) Change Order for New Atlantic Contracting, Inc. on Macon Middle School renovation project** – Jack Morgan, Director of Planning, Permitting, and Development, informed the board that on March 26, 2021 we issued an authorization to proceed to New Atlantic Contracting. At about that time students were brought back to school when we had been anticipating having the wing vacant. New Atlantic had asked for a 60-day extension at no cost so they can get started as soon as school is out. Commissioner Beale made a motion, seconded by Commissioner Shields, to grant the extension and the motion passed unanimously.

**(E) Resolution regarding Memorandum of Understanding relating to the settlement of the opioid litigation** – Postponed.

**(F) NCWorks Lease Agreement** – Mr. Roland shared a copy [Attachment 3] of the lease agreement that expired March 31, 2021 regarding the lease of space in the annex building. He indicated that Mr. Ridenour has reviewed the lease which is nothing more than an extension of the current lease from April 1, 2021 to March 1, 2023. A motion was made by Commissioner Higdon, seconded by Commissioner Young, to approve the lease as presented, and the motion passed unanimously.

**(G) Grant Writing** – Commissioner Young inquired as to whether the county had anyone who was currently assigned to work on writing grants for state federal and private grants. He provided a handout [Attachment 4] and suggested we look at a contract or freelance basis. Mr. Roland said he would speak with Tommy Jenkins and the Southwestern Commission regarding opportunities they might have. Commissioner Beale shared experience with some organizations that offer grants and agreed that in order to be successful we have to have someone who knows what they are doing.

**CONSENT AGENDA:** Upon a motion by Commissioner Young, seconded by Commissioner Shields, the board voted unanimously to approve the consent agenda as presented and amended which includes: (A) Removal of the March 9, 2021 meeting minutes, (B) Budget Amendment #255-264 and #272-273, (C) Tax releases for April in the amount of \$1,509.71, (D) an amendment to the Capital Project Ordinance for Macon Middle School renovation, (E) an amendment to the Capital Project Ordinance for Macon Middle School locker room project, (F) COVID fee updates for Macon County Public Health, and (G) Monthly ad valorem tax collection report.

**APPOINTMENTS:**

**(A) Jury Commission – one seat** – Commissioner Beale made a motion, seconded by Commissioner Shields, to appoint Sarah Waldroop. The motion passed unanimously.

**(B) Southwestern Community College Board of Trustees** – Commissioner Young made a motion, seconded by Commissioner Shields, to appoint Jeff Cloer. The motion passed unanimously.

**CLOSED SESSION – None**

**RECESS:** With no other business, at 8:40 p.m., upon a motion by Commissioner Higdon, seconded by Commissioner Beale, the board voted unanimously to recess the meeting until Tuesday, May 25, 2021 at 6 p.m. in the commission boardroom on the third floor of the Macon County Courthouse.

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Derek Roland  
Ex Officio Clerk to the Board

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Jim Tate  
Board Chair