

**MACON COUNTY BOARD OF COMMISSIONERS
CONTINUED SESSION
MAY 16, 2017
MINUTES**

Chairman Tate reconvened the meeting at 6 p.m. in the commission boardroom as recessed from the May 9, 2017 regular meeting. All board members, the County Manager, Deputy Clerk, Finance Director, County Attorney, members of the news media and interested citizens were present.

ANNOUNCEMENTS: There were no announcements.

MOMENT OF SILENCE: Chairman Tate asked those in attendance to observe a moment of silence, and Commissioner Beale requested that those present keep the Tastinger family in their thoughts and prayers following a vehicle accident.

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

PUBLIC COMMENT PERIOD: Chairman Tate reminded the group that, even though a “tremendous” amount of people were not signed up to speak, the board sought to limit the public comment period to no more than 45 minutes and each speaker to a five-minute maximum time. He also reminded the speakers to direct their comments to the board as a whole and for those present to silence their cell phones. In conclusion, he invited those who have spoken to stay for the rest of the meeting if they wish to do so, or they may leave quietly. **Dr. San Ho Choi** spoke to the issue of the planned closing of the Labor and Delivery Unit at Angel Medical Center (AMC). He said that an organization called “Operation Heartbeat Two” had been founded to show support for keeping the unit open. He said the group’s purpose is to find a solution and is asking Mission Health and AMC officials to postpone their decision to close the service in mid-July. He cited the safety and well-being of mothers and their unborn children that may not make it over the mountains to have their babies in either Sylva or Asheville. He went on to say that this is “one way the whole town can work together.” **Gwen Kelly**, who told the board she was a retired nurse who worked at AMC for 15 years, asked that the commissioners draft and approve a resolution asking Mission Health to delay the closing of the AMC Labor and Delivery Unit. She suggested that the board

create a task force to address the issue and reviewed a list of 14 items the task force could investigate or be involved in. She said she viewed the move to close the unit “with a high level of suspicion” and added it was “not in the best interest of our community.” **Linda Tyler** also spoke to the Labor and Delivery Unit closing, telling the board that a letter has been sent to Mission Health requesting to have a hospital representative come to Franklin and meet with decision makers here. She said the group was hoping for a positive response to that letter. She told the board that all hospital labor and delivery units lose money, and that one reason of the takeover of AMC by Mission was to have a larger entity that would absorb those losses. She also asked the board to draft and approve a resolution asking for a delay of six months before closing the unit and to create a task force to develop a solution. “This is an urgent matter right now,” she told the commissioners, stating that “the community overwhelmingly wants to keep labor and delivery” services here. **Sarah Johnson**, a resident of Otto, told the board her story of her mom working in the Emergency Room at Angel. She said her mom wanted to give birth at home, but due to complications, ended up at Angel needing an emergency Caesarian section. Ms. Johnson said that she was told her mom’s umbilical cord was wrapped around her body and neck several times, and that she would have been born brain dead if her mom had to go to Sylva or Asheville to deliver. **Melissa Evans** said that she was speaking on behalf of the Nantahala community to request funding for a full-time sheriff’s deputy in response to what she referred to as being “barraged by drug dealers from Cherokee County.” She told the board that because there is so little law enforcement presence, the “robbers” know the patterns of those living in the community and “run the roads on four-wheelers.” She said Nantahala has a School Resource Officer (SRO), but that is not enough, and the residents need a shorter response time. She asked the board to put a new position in the upcoming budget. Commissioner Beale noted that Sheriff Robert Holland could not attend the meeting but sent a letter explaining that law enforcement staffing in Nantahala is an issue that has been there his entire career. **Dr. Patrick Kessler** also expressed his concerns over the loss of labor and delivery services, and stating his “fear that that may be the first step” in cutting back services until AMC ends up as a “glorified urgent care.” Chairman Tate responded that he has taken no fewer than 100 phone calls, e-mails and visits regarding this matter, and that the county has contacted representatives from Mission Health and requested a “sit down meeting” with them. He said the board would take the idea of the resolution under advisement. Commissioner Beale added that he has “had more visitors over this than anything” and told the audience that the members of the board “are not sitting idle” and that they are pursuing a meeting and hoping it will be “fruitful.”

ADDITIONS, ADJUSTMENTS TO AND APPROVAL OF THE AGENDA: Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the

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board voted unanimously to make additions to and approve the agenda as adjusted, as follows:

- To remove approval of the minutes from the Consent Agenda (Item 12A), per the Deputy Clerk.
- To remove consideration of reappointment of the Tax Administrator from Appointments (Item 13A), per the County Manager.
- To add a brief presentation on “Stepping Up” under Reports/Presentations as Item 9D, per Commissioner Beale.
- To add discussion regarding the county contractor license as part of Item 11D (Planning Board review of Subdivision Ordinance), per Commissioner Gillespie.

PRESENTATION OF THE RECOMMENDED FISCAL YEAR 2017-18 BUDGET:

The County Manager presented his recommended budget for Fiscal Year 2017-18 to the board. Using a Prezi presentation, he began by reviewing the budget accomplishments from the current fiscal year. A copy of his entire budget message is attached (Attachment 1) and is hereby made a part of these minutes. He then outlined projected revenues for the new fiscal year, explaining that as requested by the board, there is no increase in the ad valorem tax rate of 34.9 cents per \$100 of property valuation – the third lowest rate in the state. His budget highlights for the upcoming fiscal year focused on public safety, including an emergency communications system upgrade and a new fire task force in Emergency Management and new vehicles and an increase in overtime funds for the Sheriff’s Department. Under General Government, he pointed out inclusion of \$50,000 in the governing board’s contracted services line item for the purpose of furthering broadband expansion in the county. Also included in the budget is \$350,000 to assist the Town of Highlands with renovating the civic center there. In extensive detail, he explained changes in the county’s health insurance plan and costs associated with that. A total of \$30,000 has been included to hire a consulting firm to help develop a Capital Improvement Plan. The budget also calls for a two percent cost of living adjustment for county employees. The final paragraph from his budget message reads as follows: “The FY 17-18 budget will allow us to continue to provide high quality services to the citizens of Macon County at one of the lowest tax rates in the state. Although \$2,111,894 in capital items has been recommended in the FY 17-18 budget, no appropriation of fund balance will be necessary and funding to priority areas including education and public safety will not be compromised. Furthermore, a contingency fund of \$125,000 will ensure that we are prepared for any unexpected events that might occur. This budget could not have been accomplished without the hard work and willingness to compromise shown by all Macon County department heads during budget discussions. As required by state statute, the budget is balanced with revenues and expenditures of \$49,587,927 and is hereby submitted for your review and consideration.”

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SCHEDULING OF BUDGET WORK SESSION: Following discussion, the board agreed by consensus to hold a work session on the proposed budget – to include time to hear from representatives of Macon County Schools and the two volunteer fire departments seeking tax increases – on Thursday, June 8th beginning at 5 p.m. in the commission boardroom. The public hearing on the budget is scheduled for Tuesday, June 13th at 6 p.m.

SOUTH MACON ELEMENTARY OUTDOOR CLASSROOM: South Macon Elementary Principal Allison Guynn introduced Jennifer Love, the STEM Coordinator for Macon County Schools, who explained that she was working with several of the school’s teachers and the PTO there to create an outdoor classroom, which could also be used by students at nearby Union Academy. The cost of the classroom and the Americans with Disabilities Act (ADA) accessible trail to it will cost approximately \$10,000, and Ms. Love said that she has about \$6,000 committed to the project and plans to raise the remaining \$4,000. However, the location is on county property, not school property, and she requested the board’s permission to use it, which essentially involves digging a few holes and placing the benches. She said plans are to complete the project this summer. There were some concerns over liability issues, and the County Attorney said the county would require property insurance coverage. Commissioner Beale made a motion to approve the use of the property as presented and Commissioner Shields seconded the motion. Commissioner Gillespie asked Ms. Love how confident she was in securing the remaining dollars, which led to further discussion. The board voted unanimously to approve the motion.

STEPPING UP: Commissioner Beale provided the board with a brief overview of the Stepping Up Summit that was held in Raleigh on May 9th. Sponsored by the North Carolina Association of County Commissioners (NCACC) and the state’s sheriffs’ association, the program is aimed at counties who are working on an initiative to reduce the mentally ill population in county jails. Commissioner Beale noted that for the state’s 80 rural counties, this is a real struggle, and that the reoccurring cost of someone going in and out of incarceration is enough to pay for someone to attend Harvard University. No action was taken.

Chairman Tate declared a recess at 8:06 p.m.

Chairman Tate called the meeting back to order at 8:15 p.m.

MEMORANDUM OF UNDERSTANDING FOR SMOKY MOUNTAIN BLUEWAYS ADVISORY COUNCIL: Ryan Sherby made a presentation on behalf of Smoky Mountain Host in regard to the establishment of the Smoky Mountain

Blueways Advisory Council. He explained that he was seeking the board's approval of a Memorandum of Understanding (MOU) that would establish the council, upon which Chairman Tate would be the county's initial representative. Mr. Sherby reviewed his presentation at the board's May 9th regular meeting. The term of the MOU would be for 10 years and would support a request to the National Park Service for designation of the blueways – or rivers in the region such as the Little Tennessee – as a National Water Trail. Per Commissioner Higdon's request, the County Attorney said he had reviewed the MOU and has no problems with it. Upon a motion by Commissioner Higdon, seconded by Commissioner Shields, the board voted unanimously to approve the MOU as presented, a copy of which is attached (Attachment 2) and is hereby made a part of these minutes.

TRANSIT DRAFT SUCCESS PLAN FY 2017-18: Transit Director Kim Angel told the board that the state had imposed some new benchmarking standards on the agency, leading to the creation of a draft "success plan" for the upcoming fiscal year. She briefly reviewed parts of the plan, including the "tactic" pages and the performance measurement charts. She also noted that the plan is tied to funding. Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve the Macon County Transit (Draft) Success Plan FY 2017-18, a copy of which is attached (Attachment 3) and is hereby made a part of these minutes.

TRANSIT TITLE VI PROGRAM PLAN: Ms. Angel asked the board to consider approval of the agency's Title VI Program Plan stemming from Title VI of the Civil Rights Act of 1964 and the nondiscrimination provisions of the Federal Transit Administration. She informed the members that the plan is "about as thorough as it can possibly be." Upon a motion by Commissioner Shields, seconded by Commissioner Higdon, the board voted unanimously to approve the plan as presented, a copy of which is attached (Attachment 4) and is hereby made a part of these minutes.

RESOLUTION REGARDING NON-EMERGENCY MEDICAL TRANSPORTATION BILLING SOFTWARE: Ms. Angel explained that she was seeking approval of a resolution authorizing the county to enter into an agreement with the North Carolina Department of Transportation (NCDOT) regarding \$30,800 in funding for non-emergency medical transportation (NEMT) billing software. This new module would automate a process now performed by a staff member, and due to changes in Medicaid billing rules, it is necessary to purchase the additional module from the department's software vendor. As the county acts as the lead agency on behalf of six other transit systems in the region, it is taking the lead in the purchase. However, she asked the board to allocate the \$30,800 to pay the vendor upfront with the county to be reimbursed by NCDOT. Following some questions from the board

and discussion of the timeline in the agreement, upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve the “Resolution authorizing Macon County to enter into an agreement with the North Carolina Department of Transportation” as well as the necessary budget amendment to provide the \$30,800. A copy of the resolution is attached (Attachment 5) as well as a copy of the cover letter from NCDOT (Attachment 6) and the Transit Development Program Public Body Capital Grant Agreement (Attachment 7).

PROPOSED IMMUNIZATION FEE CHANGES: Public Health Director Jim Bruckner reviewed a list of seven fee changes for immunizations that were initially approved by the county’s Board of Health on April 25th. Following questions from the board, Commissioner Shields made a motion to approve the changes as presented, and it was seconded by Commissioner Beale and all favored. A copy of the fee changes is attached (Attachment 8) and is hereby made a part of these minutes. The board members and Mr. Bruckner held a brief discussion about making any fee changes at Public Health a matter for the Consent Agenda.

FOOD PROPOSAL FOR DETENTION CENTER: The County Manager led a discussion regarding a proposed change in the vendor for food services for the county’s detention center. Mission Health is the current provider, and each meal costs \$4.85, and the county is considering an agreement with Summit Food Service. The County Manager reviewed the budgeted amounts for the service, and Commissioner Shields asked questions about the quality of the food and if inmates with special needs were addressed. Lieutenant Steve Stewart, the administrator of the detention center, said all of this is state regulated, and there are many variations regarding diets or caloric intake. He noted that Clay County is using Summit Food. The new agreement is based on a three-year contract which has a sliding scale depending upon the number of inmates served, and for Macon the cost per meal would be \$2.93. Following further discussion, and upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve the Food Service Agreement with Summit Food Service, LLC as presented and authorized the County Manager to execute it. A copy of the agreement is attached (Attachment 9) and is hereby made a part of these minutes.

PLANNING BOARD: Commissioner Gillespie, the liaison to the county planning board, told his fellow commissioners that the planning board is supposed to review the county’s subdivision ordinance every two years, and that the planning board members had voted to ask the commissioners to formally task them with this responsibility. In addition, he said the county’s contractor’s license program “needs to go through a process with some public input.” He recommended having the planning board review both, and made a

motion to do so. Commissioner Shields seconded the motion and asked for some additional details on some technical issues. Following discussion, the board voted unanimously to approve the motion.

SATISFACTION OF SECURITY INSTRUMENT: The County Attorney recommended that the board approve a “Satisfaction of Security Instrument” for Pamela Faye Swanson stemming from the Macon County CHAF Program. Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve the document as presented, a copy of which is attached **(Attachment 10)** and is hereby made a part of these minutes.

USDA EXTENSION OF LEASED SPACE: The current lease for the Macon County USDA Service Center on Thomas Heights Road in Franklin expired on March 31, 2017, and the federal agency had confirmed its ongoing need to occupy the building. USDA officials requested that the best course of action would be to acquire a lease extension through March 31, 2020 while a long-term lease is pursued. The County Manager pointed out that the lease generates \$900 a month. Following a brief discussion, and upon a motion by Commissioner Shields, seconded by Chairman Tate, the board voted unanimously to approve the extension as presented.

HIGHLANDS POLICE DEPARTMENT COMPUTER AIDED DISPATCH: Simon Hyatt with the county’s Information Technology Department presented a PowerPoint presentation regarding the proposed use of the county’s Computer Aided Dispatch (CAD) system by the Highlands Police Department. Mr. Hyatt asked the board to consider approval of an interlocal agreement that would allow Highlands the same type of access as the Town of Franklin Police Department has had since 2013 and authorize the County Manager to enter into the agreement. He explained in detail how the CAD system works and the advantages to Highlands that having access to it would allow. He said there is no additional cost to adding Highlands to the system. Saying that better communication means better protection for our citizens, Commissioner Beale made a motion to approve the interlocal agreement as presented and authorize the County Manager to execute it. Commissioner Higdon seconded the motion and all favored. A copy of the Interlocal Agreement is attached **(Attachment 11)** and is hereby made a part of these minutes.

CONSENT AGENDA: Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve the items on the consent agenda as follows: the following budget amendment: **#184** for Public Health to allocate \$2,234 in additional money stemming from an agreement addendum regarding WIC educational material, **#185** for the Department of Social Services to allocate \$2,144 in additional SHIPP funds (copies of the amendments are attached); approved tax releases for April 2017

in the amount of \$166.71. Copies of the releases are on file in the Deputy Clerk's office.

APPOINTMENTS: (1) Southwestern Community College Board of Trustees

– Upon a motion by Commissioner Shields, seconded by Commissioner Gillespie, the board voted unanimously to reappoint Jeffrey Cloer to a four-year term on the Southwestern Community College Board of Trustees, beginning July 1, 2017 through June 20, 2021. **(2) Macon County Library Board of Trustees**

– Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to reappoint Lenny Jordan to a three-year term on the Macon County Library Board of Trustees, effective May 13, 2017.

RECESS: With no other business, and at 9:12 p.m., upon a motion by Commissioner Gillespie, seconded by Commissioner Shields, the board voted unanimously to recess until Thursday, June 8 2017 at 5 p.m. in the commission boardroom on the third floor of the Macon County Courthouse, 5 West Main Street, Franklin, NC for the primary purpose of holding a budget work session.

Derek Roland
Ex Officio Clerk to the Board

Jim Tate
Board Chairman