

**MACON COUNTY BOARD OF COMMISSIONERS
CONTINUED SESSION
NOVEMBER 15, 2016
MINUTES**

Chairman Corbin reconvened the meeting at 6:02 p.m. in the commission boardroom as recessed from the November 8, 2016 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: Those in attendance watched a video from the North Carolina Association of County Commissioners (NCACC) that provided an update on recent NCACC activities.

MOMENT OF SILENCE: Chairman Corbin asked those in attendance to observe a moment of silence.

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

PUBLIC COMMENT: No one signed up to speak.

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

- To add a new item, a presentation from U.S. Forest Service Incident Commander Mike Dueitt on the status of the wildfires burning in the region, as the new Item 9A under Reports/Presentations, per the County Manager. The existing Item 9A was moved to 9B, and the existing Item 9B was moved to 9C.
- To remove Item 11H (Business Development Center Lease) under New Business, per the County Manager.

- To remove Item 11C(2) (Transit Services Resolution adding parties to SoNCVet project) under New Business, per the County Attorney.
- To add a new item regarding the cancellation of a deed of trust under New Business, per the County Attorney.
- To add a new item regarding additional parking spaces for the county's Senior Center under New Business, per Commissioner Beale.
- To add discussion regarding the loan amount for the Parker Meadows Recreational Complex under Old Business as Item 10F, per Chairman Corbin.

U.S. FOREST SERVICE INCIDENT COMMAND PRESENTATION: Mike Dueitt, the commander for the U.S. Forest Service Southern Area Incident Management Team, updated the board on the status of the wildfires burning in Macon County and the region. He told the board that this has been “a devastating event” for North Carolina, adding that nothing like this has happened since the 1950s. The board members were given fact sheets on the fires in Macon. The largest of the two, the Tellico Fire, had burned 13,679 acres in Macon and Swain counties as of this date, was 68 percent contained and had 464 personnel assigned to fight it. The Muskrat Fire had burned 103 acres, was 90 percent contained and had 49 personnel assigned to it. He explained that the next one posing a threat to the county had started in Georgia and was coming across the state line. He said the Appalachian Trail has been closed, and noted that the Boteler Fire in neighboring Clay County is still giving firefighters problems. At this time, he said there are 19 fires burning in the western part of the state. On a more personal note, Mr. Dueitt told the board that he had been doing this work for 30 years, and spoke of the “great support” he and others had received here. “We don’t get that everyone we go,” he told them. He answered questions from the board members and praised local emergency management staff for their efforts. In closing, he pointed out that firefighters from 42 different states have come to the region to help battle the blazes. No action was necessary.

PROCLAMATION REGARDING NATIONAL HUNGER AND HOMELESSNESS AWARENESS WEEK: Lowell Monteith with The Fathers House asked the board to consider adopting a proclamation recognizing November 12-20, 2016 as National Hunger and Homelessness Awareness Week in Macon County and to “recognize what we do.” He also discussed an upcoming event that would “get folks like you to come sleep outside and know what it is like” and other efforts to get the community more involved with and aware of the homeless. The County Manager raised questions about some of the language in the proclamation, particularly a phrase about a “shortage of affordable housing.” This led to a lengthy discussion. The County Manager also asked if Macon New Beginnings and REACH, two organizations mentioned in the proclamation, had “signed off” on the document before it was presented, and Mr. Monteith replied

that “they know their name is on it.” Commissioner Shields made a motion to approve the proclamation as presented, and it was seconded by Commissioner Higdon. During discussion, Chairman Corbin told Mr. Monteith that the board “can’t make editorial statements about things we are not sure of,” which he said prompted the County Manager’s questions. After further discussion, Chairman Corbin recommended taking out the second paragraph in the proclamation that included the phrase about the shortage of affordable housing, He also suggested taking out the names of the other organizations, and asked Commissioner Shields and Commissioner Higdon if they were willing to amend the motion and second. They both accepted the amendment, and following additional discussion, the board voted unanimously to approve the proclamation as amended, a copy of which is attached (Attachment 1) and is hereby made a part of these minutes.

COWEE CONVENIENCE AND DELI: Wayne Sheffield appeared before the board on behalf of Cowee Convenience and Deli with a petition containing 920 signatures stating, “We want the picnic tables back.” A copy of the front page of the petition is attached (Attachment 2) and is hereby made a part of these minutes. Mr. Sheffield, a former county commissioner who built the store in 2000, explained that at the time, there were 18 seats inside and the picnic tables placed in front of the store were approved by the county’s health department. He added that the tables were not there for serving food, but served as a meeting place “where good relationships are built and the world’s problems are solved.” He said that when the store owner was told to remove them, “It has kindly upset the community,” and that the community wants the board’s help to resolve the matter. However, Mr. Sheffield stated, “I don’t know what the board can do about it.” Commission Higdon, who is the liaison to Public Health, said that state rules define the use of the picnic tables, and whenever there is a change in ownership of an establishment, “you start all over.” He told Mr. Sheffield that all complaints need to go the county’s Board of Health, because the board of commissioners has no authority to enforce state rules and regulations, to which the County Attorney agreed, but added that there is “no question that the store is vital to the community.” Commissioner Beale spoke to the matter at length, stating that “everyone in the community has called me” about the situation, and suggested having additional flow metering installed in order to have the tables put back. “Hopefully, common sense will prevail,” he added. “That regulation doesn’t fit that store,” Mr. Sheffield countered. Commissioner Higdon responded that the board members have to support our employees, or else go to Raleigh and change the laws. A lengthy discussion ensued, and in the end the board reached consensus on two items, one being to communicate the matter to the Board of Health and the second to have the store’s owners have someone at the state level look into the situation. No formal action was taken.

COMMUNITY FUNDING POOL RECOMMENDATIONS: Karen Wallace presented the revised recommendations for the \$75,000 available from the Community Funding Pool for the 2016-17 Fiscal Year. A list of the agencies and recommended amounts is attached (Attachment 3) and is hereby made a part of these minutes. She explained that out of 22 projects requesting a total of \$153,179, the task force recommended 14 projects that will share the \$75,000 total. She noted that REACH of Macon County and Kids InterDisciplinary Services, Inc. (KIDS Place) each received the maximum amount of \$10,000. Following some questions from the board, and upon a motion by Commissioner Tate, seconded by Commissioner Shields, the board voted unanimously to approve the task force recommendation as presented.

LETTER OF INTENT FOR CHARTERS OF FREEDOM: The County Manager reviewed a letter of intent involving Foundation Forward, Inc. and the placement of the Charters of Freedom monument near the trio of flag poles on the courthouse plaza. Following brief discussion, and upon a motion by Commissioner Shields, seconded by Commissioner Beale, the board voted unanimously to authorize the County Manager to sign the Letter of Intent as presented, a copy of which is attached (Attachment 4) and is hereby made a part of these minutes.

UPDATE ON SCC BURN BUILDING: The County Manager started the latest discussion on the replacement of the Southwestern Community College (SCC) burn building by suggesting that the county could use county property located off of Siler Road as the match for the project instead of cash. He used a map to illustrate the proposed location of the new structure on 3.5 acres located adjacent to SCC's Macon campus. He said two appraisals of the property would be needed, one from the county and the other from the college, but pointed out that a survey would be required first. He also noted that the county had signed a Memorandum of Understanding (MOU) with SCC back in April of 2015 regarding the use of county property off Siler Road for the future expansion of the Macon campus. The County Attorney advised that before the county hires a surveyor, there needs to be "a good understanding" between the commissioners and the SCC Board of Trustees as to how this project will unfold. This led to a discussion of the state bond money available for the project, as \$1,425,000 is available but the design cost is \$1,900,000, which would require a \$475,000 cash obligation from the county, as the \$1,900,000 does not include the cost of the land. SCC President Dr. Don Tomas gave the board an overview of the college's plans, both here and in Jackson County, for the use of the bond money, explaining there is a major need at the Jackson campus for a new health science building. This led to a lengthy discussion regarding how much local funding would be needed. The County Manager recommended obtaining a survey of the property and gathering more information from the state about the multiple appraisals, with Dr. Tomas

Minutes

11.15.16

Page 4 of 10

pointing out that SCC does not have funding for an appraisal. Chairman Corbin suggested having a joint meeting with the college's board of trustees to discuss the matter. After further discussion about matching the building and the college's public safety curriculum, no action was taken.

COMMUNITY CLUB RENOVATION PROJECTS: By consensus, the board members agreed to move consideration of two community club renovation projects up to the next item on the agenda. Commissioner Beale spoke to the requests, beginning with the Salem Methodist Church project being undertaken by the Cullasaja Community Association. Referring to a handout on the project, Commissioner Beale explained that needed improvements to the building totaled \$58,250, and once \$12,300 in labor donations and \$5,000 from the community club were deducted, the association was requesting \$40,950 from the county to complete the project. These buildings are worth saving, Commissioner Beale said, adding that the Cullasaja group has "come to the point where they've got to have some help." The County Attorney pointed out assistance that had been given to community projects in Scaly Mountain and in Pine Grove, and that a written agreement would be needed. Commissioner Beale said there is a "void" in the community as there is no place for the club to meet, and that the church is on the historic register. He made a motion to appropriate the \$40,950 out of fund balance, and Commissioner Shields seconded the motion. During discussion, Commissioner Higdon questioned that, in fairness to other communities, is the county treating all of these types of requests the same, or does the county have a policy. This was followed by discussion as to how project invoices would be paid, which would have to be approved by the County Manager and Finance Director. With the understanding that the \$40,950 figure was a "not to exceed" amount, the board voted unanimously to allocate the money from fund balance. The second request was from the Otto Community Development Organization, and Commissioner Beale outlined the building needs there which include heating and air, flooring, electrical work and repairs to the roof. The total renovation cost is \$58,155, and after a \$14,000 contribution from the community, the organization was requesting \$44,155 to complete the work. In making the motion to take the money from fund balance, Commissioner Beale said this would also be a "not to exceed" figure and that the regulations, paperwork and payment process would be the same as that for Cullasaja. Commissioner Shields seconded the motion, and Ann McClure, the president of the development organization, that now is a "prime time to do this" and explained in greater detail the problems the organization was having with the building. Following a question from Commissioner Tate regarding the organization's relationship with Otto Volunteer Fire Department, the board voted unanimously to allocate the \$44,155 from fund balance.

Chairman Corbin declared a recess at 8:38 p.m.

Chairman Corbin called the meeting back to order at 8:53 p.m.

UPDATE ON CARPENTER COMMUNITY BUILDING RENOVATION PROJECT:

The County Manager began by showing the board members a sketch of how the outside of the Robert C. Carpenter Community Building would look once the planned improvements are complete. He also explained that the county could apply under the owner/contractor exemption and act as the general contractor on the project. He said the county could achieve “significant savings” by using this method, adding that the county would need to break out what items to sub-contract and which ones to utilize county maintenance staff to perform. The County Attorney pointed out that the contract with Ritter Architecture would need to be changed, with Tom Ritter being more involved in the renovation. The County Manager said he simply wanted to bring the board members “up to speed” and that no action was necessary.

UPDATE ON BROADBAND RESEARCH: Information Technology Director Andy Muncey presented the findings of the department’s research into broadband coverage for the county using the Geographic Information System (GIS). A copy of the summary is attached **(Attachment 5)** and is hereby made a part of these minutes. The methodology starts by explaining that Macon County has 30,161 parcels, with 27,064 of those having structures valued at more than \$10,000 (assumed residential or commercial). Mr. Muncey acknowledged that this number “grossly overestimates” the number of people who have broadband, but added that “all we’ve shown is what we are capable of doing” by producing the maps that show the areas of potential coverage. He said there are three concerns, the first being those who have no service whatsoever, those without broadband, and those with only one choice of broadband. The County Manager suggested establishing a broadband committee, and Mr. Muncey said the new standard the county faces is to have broadband that is defined as having a download speed of 25 megabytes and an upload of 3 megabytes. Following further discussion, no action was taken.

PARKER MEADOWS RECREATIONAL COMPLEX: Chairman Corbin raised the issue of paying off the loan that was secured to fund the Parker Meadows Recreational Complex. He said that at the end of the fiscal year that ended June 30th, the county had a fund balance of some \$21-million. He said the current budget included a 1 percent increase in sales tax revenue that was turning out to be more of a 6 percent increase. With the county owing about \$1.3-million on the project, he said paying the loan off would free up about \$200,000 a year in the budget, and there is no prepayment penalty if the county provides 30 days’ notice. Following further discussion, Commissioner Tate made a motion, seconded by Commissioner Beale, to take \$1.35-million from fund balance and pay the loan off, with 30 days’ notice to Entegra Bank.

After additional discussion, the board voted unanimously to approve the motion.

EMS BILLING CONTRACT: Emergency Services Director Warren Cabe told the board that a modification of the service agreement for ambulance transport billing was needed with the current provider, Credit Bureau Systems. He said that the cleanest way is to modify the existing contract through December 31, 2016. The County Attorney prepared the necessary document, and upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve the “Modification of Service – Ambulance Transport Billing,” a copy of which is attached (Attachment 6) and is hereby made a part of these minutes. Now, Mr. Cabe continued, the county will need a new contract, and reviewed three potential new vendors – AMB, Colleton and EMS MC. He recommended that the county enter into an agreement with EMS MC effective January 1, 2017, and upon a motion by Commissioner Tate, seconded by Commissioner Beale, the board voted unanimously to accept the recommendation.

FEMA FY 2016 ASSISTANCE TO FIREFIGHTERS GRANT: Mr. Cabe requested the board’s permission to apply for a FEMA grant that would provide new radio equipment for first responders throughout the county. He explained that the county had already planned for a communications upgrade with \$400,000 budgeted for new equipment this year and again next year. However, he said the county can apply for \$1,097,500 in grant money that will require a \$99,772 match which can be taken from the budgeted funds. The grant would provide 487 portable radios, 222 mobile radios and 10 mobile repeaters. He said the county will not know until May of 2017 if the grant is awarded, but that will not postpone the overall upgrade. Following discussion, and upon a motion by Commissioner Tate, seconded by Commissioner Beale, the board voted unanimously to approve Mr. Cabe’s request to apply.

RESOLUTION FOR AMENDED TRANSIT SERVICES CONTRACT: Transit Director Kim Angel advised the board of the need for an amended “5317” contract that essentially allows the service to retain a second Mountain Gem route. She asked that the board adopt a resolution that authorizes the county to enter into an agreement with the state for this purpose and to authorize the County Manager to sign the appropriate document. Upon a recommendation from Chairman Corbin, a motion by Commissioner Shields and a second by Commissioner Tate, the board voted unanimously to adopt a “Resolution Authorizing Macon County to Enter into an Agreement with the North Carolina Department of Transportation,” a copy of which is attached (Attachment 7) and is hereby made a part of these minutes. Commissioners Beale and Shields also thanked Mrs. Angel for the transit service’s transport of veterans to the dedication of the Nat Henry Bridge.

PUBLIC HEALTH FEE CHANGES: Following explanations from Diane Keener with Macon County Public Health, the board members took the following action: (1) Upon a motion by Commissioner Higdon, seconded by Commissioner Shields, voted unanimously to approve changes in the department's fee schedule as presented. A list of those changes is attached (Attachment 8) and is hereby made a part of these minutes. (2) Upon a motion by Commissioner Higdon, seconded by Commissioner Tate, voted unanimously to support and approve the department taking the lead role in a regional Minority Prediabetes Prevention Program. A copy of the memo to the board regarding the program is attached (Attachment 9) and is hereby made a part of these minutes. (3) Upon a motion by Commissioner Higdon, seconded by Commissioner Tate, voted unanimously to approve for the department to apply to the state for Family Planning Title X money as well as Women's Health Service fund dollars. A copy of the memo to the board regarding the request is attached (Attachment 10) and is hereby made a part of these minutes.

AGREEMENT WITH EAST COAST RISK MANAGEMENT: The County Manager provided the board members with an evaluation of staffing needs related to having a public information officer, or PIO, versus having additional assistance for the Human Resources (HR) Department in the form of a full-time employee. After doing so, he offered the board a third option, that of entering into an agreement with East Coast Risk Management to provide a number of third-party duties including OSHA recordkeeping, assistance with Worker's Compensation claims, providing safety training and documentation and assisting HR with policy rewrites and serving as a legal resource. He said the cost would be \$3,000 per month or \$36,000 annually and could be taken from the unfilled position in the current year HR budget. He told the board he concurred with the recommendation of the HR Director to go with East Coast with the understanding that after one year, the county can get out of contract with 30 days' notice. The County Attorney told the board that he was initially skeptical of the arrangement but is now more excited about it. Commissioner Shields made a motion to approve the agreement for one year, and the Finance Director noted language in the document related to additional travel costs. The County Manager said he would get that matter clarified, and Commissioner Tate seconded the motion. The County Manager said that East Coast would be utilized early and often with the day-to-day management of the arrangement falling to the HR Director. The board voted unanimously to approve the agreement subject to clarification of the issues with additional travel costs.

ROOF REPLACEMENT AT MACON COUNTY MULTI-PURPOSE GROUP HOME: The County Manager referred the board to an e-mail from Venecia Carr with the North Carolina Department of Public Safety requesting approval to replace the roof at the Macon County Multi-Purpose Group Home at 1950

Lakeside Drive at no expense to the county. The county leases the group home to the state. Upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted unanimously to grant approval.

2017 HOLIDAY SCHEDULE: Upon a motion by Commissioner Tate, seconded by Commissioner Beale, the board voted unanimously to approve the 2017 Holiday Schedule as presented. A copy of the schedule is attached (Attachment 11) and is hereby made a part of these minutes.

PARKING AGREEMENT WITH RESURRECTION LUTHERAN CHURCH: Commissioner Beale gave a brief overview of a proposed agreement between the county and Resurrection Lutheran Church that would allow the county's senior services center on Wayah Street to use 13 of the church's parking spaces at no cost to the county. Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve a License Agreement, a copy of which is attached (Attachment 12) and is hereby made a part of these minutes.

CONSENT AGENDA: Upon a motion by Commissioner Tate, seconded by Commissioner Beale, the following items on the consent agenda were approved unanimously. **Minutes** – Approved the minutes of the October 11, 2016 regular meeting and the November 8, 2016 regular meeting. **Budget amendments** – Approved the following budget amendments: #62 for the Health Department to appropriate a \$1,000 donation to cover expenses associated with creating a new cat room at Animal Control; #63 for Planning, Permitting and Development to appropriate \$1,682 in general fund balance for the carryforward of funds for a computer purchase, as the computer was ordered in the old fiscal year but not received until the new fiscal year; #64 for the Department of Social Services to allocate \$330 in donations to adjust for a shortage in a line item; #65 for the Department of Social Services to appropriate a total of \$1,308 in additional SHIPP and General Purpose allocations; #66 for Housing to appropriate new Duke Energy grant revenue of \$10,357; #67 for the Sheriff's Department to appropriate \$261 in donations for Macon County Safe Kids; #68 for Parks and Recreation to move \$11,680 from an insurance settlement into the 2017 budget; #69 for the Health Department to allocate \$59,999 in Medicaid Cost Settlement money; #70 for the Health Department regarding \$165,808 as a new agreement addendum for a regional diabetes program covering eight counties; #71 for the Health Department for additional funding for increased demand for flu vaccines; #72 for Housing to appropriate a \$68,000 increase in funding as per the Duke Energy Memorandum of Understanding; and #73 for Special Appropriations to appropriate \$100,000 in revenue and expenditure for grant-in-aid allocation received from the State of North Carolina. (Revisions with corresponding numbers attached). **Tax releases** – Approved tax releases for October 2016 in

the amount of \$1,168.61. (A computer printout of the releases is on file in the Tax Department and the Deputy Clerk's office.)

APPOINTMENTS: (1) Economic Development Commission (EDC): Upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted unanimously to reappoint John Mira-Knipple, David Hubbs and Ken Murphy to three-year terms on the county's Economic Development Commission (EDC). Each term will expire March 12, 2019.

SATISFACTION OF SECURITY INSTRUMENT: The County Attorney explained that he had received a request from Housing Director John Fay to ask the board to release a deed of trust to Roy and Mary Baty for which the county is the beneficiary and for which all of the terms of the deed of trust have been satisfied. He said he had prepared the necessary document and asked for the board to consider approving it. Upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted unanimously to approve the "Satisfaction of Security Instrument," a copy of which is attached (Attachment 13) and is hereby made a part of these minutes.

CLOSED SESSION: At 10:56 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted unanimously to go into closed session as allowed under North Carolina General Statute 143-318.11(a)(5) to discuss possible property acquisition. Prior to entering the closed session, Chairman Corbin said, "I've thoroughly enjoyed being on this board and working with you guys." At 10:59 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted to return to open session. No action was taken.

RECESS: At 11 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted unanimously to recess the meeting until Monday, December 5, 2016 at 6:30 p.m. in the commission boardroom on the third floor of the Macon County Courthouse, 5 West Main Street, Franklin, NC.

Derek Roland
Ex Officio Clerk to the Board

Jim Tate
Board Chairman