

Macon County



**MACON COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 10, 2024
6 P.M.
AGENDA**

1. Call to order and welcome by Chairman Shields
2. Announcements
3. Moment of Silence
4. Pledge of Allegiance
5. Public Hearings – Macon County Community Transportation Program
 - A. 5311 Admin Grant
 1. Presentation of the 5311 Admin Grant (5 minutes)
 2. Open Public Hearing
 3. Public Comments (3 minutes per speaker)
 4. Close Public Hearing
 5. Discussion regarding the 5311 Admin Grant
 - B. 5310 Elderly and/or Disabled Grant
 1. Presentation of the 5310 Elderly and/or Disabled Grant (5 minutes)
 2. Open Public Hearing
 3. Public Comments (3 minutes per speaker)
 4. Close Public Hearing
 5. Discussion regarding the 5310 Elderly and/or Disabled Grant
 - C. Combined Capital Grant
 1. Presentation of the Combined Capital Grant (5 minutes)
 2. Open Public Hearing
 3. Public Comments (3 minutes per speaker)
 4. Close Public Hearing
 5. Discussion regarding the Combined Capital Grant

- D. ConCept Grant
 - 1. Presentation of the ConCept Grant (5 minutes)
 - 2. Open Public Hearing
 - 3. Public Comments (3 minutes per speaker)
 - 4. Close Public Hearing
 - 5. Discussion regarding the ConCept Grant

****Approval of FY26 Program Resolution and FY26 Local Share Certification****

- 6. Public Comment Period
- 7. Additions to agenda
- 8. Adjustments to and approval of the agenda
- 9. Reports/Presentations – None
- 10. Old Business
 - (A) Update on Quarter-Cent Sales Tax Referendum – John Knippel, Business Advisory Council
 - (B) Approval of the Farmland Protection Plan – Soil and Water District Director Doug Johnson
 - (C) Approval of the Macon County Public Health Billing Guide and Fee Plan – Health Director Kathy McGaha
 - (D) Discussion regarding Watershed Protection Ordinance – Board of Commissioners
 - (E) Approval of Renewal Lease for Offices Utilized by North Carolina Department of Adult Corrections Probation and Parole – County Manager Derek Roland
- 11. New Business
 - (A) Relocation of Franklin High School (FHS) weight room for new campus construction - Macon County School Board
 - (B) Highlands School Project Guaranteed Maximum Price (GMP) discussion - Vannoy Construction
 - (C) Macon Middle School Track project update - Macon County School Board
 - (D) Discussion and approval to repeal ordinances – Attorney Eric Ridenour
 - 1. Title XI Business Regulations, Chapter 110 Cable Television and Title I General Provisions, Chapter 8-A Mediacom Franchise and Chapter 8-B Northland Cable Franchise
 - 2. Title VII Traffic Code
 - 3. Title IX General Regulations, Fire Prevention including Appendix A: Violations Schedule and Appendix B: Fire Inspection Fee System
 - (E) Discussion regarding recreational facilities – Commissioner Josh Young

12. Consent Agenda – Attachment #12

All items below are considered routine and will be enacted by one motion. No separate discussion will be held except on request of a member of the Board of Commissioners.

- (A) Minutes of the August 13, 2024 regular meeting
- (B) Budget Amendments #53-68
- (C) Resolution Approving Plat Review Officers
- (D) Tax releases for the month of August 2024 in the amount of \$18,462.31
- (E) The settlement report for 2021 taxes
- (F) Monthly ad valorem tax collection report – no action necessary

13. Appointments - None

14. Closed session as allowed under NCGS 143-318.11

15. Adjourn/Recess

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

CATEGORY – PUBLIC HEARINGS

MEETING DATE: September 10, 2024

We have four (4) public hearings on the agenda regarding funding for the Macon County Transportation Program. After all public hearings, the Board will need to vote on the FY26 Resolution and Local Funding Agreement. A copy of the notice of public hearing is included in the packet and was published in the August 28, 2024 edition of *The Franklin Press*. The public hearings are, as follows:

The first involves the FY26 5311 Admin Grant in the amount of \$230,232. This is an 80/5/15 grant and the local share is \$34,536. This grant pays for administrative salaries, fringe, electrical power, natural gas, office supplies, travel, etc.

The second public hearing involves the 5310 Elderly and/or Disabled Grant in the amount of \$200,000. This is a 50/50 grant and the local share is \$50,000. Macon County Transit will use EDTAP and Block grant funds to match this grant. This grant is to aid in paying for transportation for elderly (65 or older) and/or disabled citizens of Macon County.

The third public hearing involves the Combined Capital Grant in the amount of \$74,139. This is an 80/10/10 grant and the local share is \$7,413. This funding will be utilized to replace the camera computer and add a laptop and a new camera system for all vehicles. The camera system in place is outdated and is necessary for the safety of the drivers and passengers.

The fourth and final public hearing involves the ConCept Grant in the amount of \$100,000. This is a 50/50 grant and the local share is \$50,000. Macon County Transit will use contract revenue from Swain and Haywood Counties along with Medicaid revenue to match this grant. The grant is used to operate the WNC Express route to Asheville Monday through Friday.

Please note that the total local share for these grants is \$191,949 with Macon County Transit covering \$150,000 of that amount leaving approval for an allocation of \$41,949 for FY 25-26. Transit Director Darlene Asher can provide more detail and answer questions at the meeting.

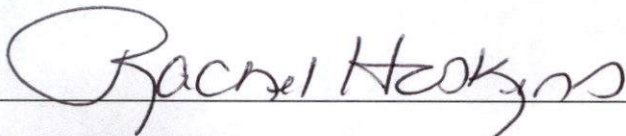
Invoice / Affidavit
The Franklin Press
Post Office Box 350
Franklin, NC 28744

STATE OF NORTH CAROLINA
COUNTY OF MACON

AFFIDAVIT OF PUBLICATION Personally appeared before the undersigned, Rachel Hoskins, who having been duly sworn on oath that she is the Regional Publisher of The Franklin Press, and the following legal advertisement was published in The Franklin Press newspaper, and entered as second class mail in the Town of Franklin in said county and state; and that she is authorized to make this affidavit and sworn statement; that the notice or other legal advertisement, a true copy of which is attached hereto, was published in The Franklin Press newspaper on the following dates:

SECTION 5311 ADTAP
PUBLIC HEARING NOTICE
08/28/2024

And that the said newspaper in which such notice, paper, document or legal advertisement was published, was at the time of each and every such publication, a newspaper meeting all the requirements and qualifications of Section I-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of the Section I-597 of the General Statutes of North Carolina.



Signature of person making affidavit



KAYLA HERRON
Jackson County, North Carolina
Notary Public
My Commission Expires 04-22-2029

Sworn to and subscribed before me this 28th day of August, 2024



Notary Public

Filed with: MACON TRANSIT-LEGALS
Address: 36 PANNELL LANE FRANKLIN NC 28734
Total Amount Due: \$79.68

PUBLIC HEARING NOTICE
Section 5311 (ADTAP), 5310, 5339, 5307 and applicable State funding, or combination thereof. This is to inform the public that a public hearing will be held on the proposed Macon County Community Transportation Program Application to be submitted to the North Carolina Department of Transportation no later than October 4th, 2024. The public hearing will be held on September 10th, 2024 at 6:00 PM before the Macon County Board of Commissioners. Those interested in attending the public hearing and needing either auxiliary aids and services under the Americans with Disabilities Act (ADA) or a language translator should contact Darlene Asher, Transit Director on or before September 9th, 2024, at telephone number 828-349-2222 or via email at dasher@maconncc.org. The Community Transportation Program provides assistance to coordinate existing transportation programs operating in Macon County as well as provides transportation options and services for the communities within this service area. These services are currently provided using Light Transit vehicles, Lift-equipped van and Mini Vans. Services are rendered by Macon County Transit. The total estimated amount requested for the period July 1, 2025 through June 30, 2026. **NOTE: Local share amount is subject to State funding availability.**
Project: 5311 Administrative
Total Amount: \$230,232
Local Share: \$34,536 (15%)
Project: Combined Capital
Total Amount: \$74,139
Local Share: \$7,413 (10%)
Project: 5310 Operating
Total Amount: \$200,000
Local Share: \$100,000 (50%)
Project: ConCept CO
Total Amount: \$100,000
Local Share: \$50,000 (50%)
TOTAL PROJECT:
Total Amount: \$604,371
Local Share: \$191,949
This application may be inspected at Macon County Transit, 36 Pannell Lane, Franklin, NC 28734 from 8:00 AM 5: PM M-F. Written comments should be directed to Darlene Asher, Transit Director before September 9th, 2024.
08/28/2024 #830376

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The total estimated amount requested for the period July 1, 2025 through June 30, 2026.

NOTE: Local share amount is subject to State funding availability.

<u>Project</u>	<u>Total Amount</u>	<u>Local Share</u>
5311 Administrative	\$ 230,232	\$ 34,536 (15%)
Combined Capital	\$ 74,139	\$ 7,413 (10%)
5310 Operating	\$ 200,000	\$ 100,000 (50%)
ConCept CO	\$ 100,000	\$ 50,000 (50%)
TOTAL PROJECT	\$ 604,371	\$ 191,949

Total Funding Request

Total Local Share

This application may be inspected at Macon County Transit, 36 Pannell Lane, Franklin, NC 28734 from 8:00 AM – 5: PM M-F. Written comments should be directed to Darlene Asher, Transit Director before September 9th, 2024.

End of Notice

Note: AN ORIGINAL COPY of the published Public Hearing Notice must be attached to a signed Affidavit of Publication. **Both the Public Hearing Notice and the Affidavit of Publication** must be submitted with the grant application.

PUBLIC TRANSPORTATION PROGRAM RESOLUTION**FY26 RESOLUTION****Section 5311, 5310, Capital, ConCept CO and applicable State funding, or combination thereof.**

Applicant seeking permission to apply for Public Transportation Program funding, enter into agreement with the North Carolina Department of Transportation, provide the necessary assurances and the required local match.

A motion was made by (*Board Member's Name*) _____ and seconded by (*Board Member's Name or N/A, if not required*) _____ for the adoption of the following resolution, and upon being put to a vote was duly adopted.

WHEREAS, Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation (NCDOT) as the agency responsible for administering federal and state public transportation funds; and

WHEREAS, the North Carolina Department of Transportation will apply for a grant from the US Department of Transportation, Federal Transit Administration and receives funds from the North Carolina General Assembly to provide assistance for rural public transportation projects; and

WHEREAS, the purpose of these transportation funds is to provide grant monies to local agencies for the provision of rural, small urban, and urban public transportation services consistent with the policy requirements of each funding source for planning, community and agency involvement, service design, service alternatives, training and conference participation, reporting and other requirements (drug and alcohol testing policy and program, disadvantaged business enterprise program, and fully allocated costs analysis); and

WHEREAS, the funds applied for may be Administrative, Operating, Planning, or Capital funds and will have different percentages of federal, state, and local funds.

WHEREAS, non-Community Transportation applicants may apply for funding for "purchase-of-service" projects under the Capital Purchase of Service budget, Section 5310 program.

WHEREAS, (*Legal Name of Applicant*) Macon County, North Carolina hereby assures and certifies that it will provide the required local matching funds; that its staff has the technical capacity to implement and manage the project(s), prepare required reports, obtain required training, attend meetings and conferences; and agrees to comply with the federal and state statutes, regulations, executive orders, Section 5333 (b) Warranty, and all administrative requirements related to the applications made to and grants

UNIFIED GRANT APPLICATION

received from the Federal Transit Administration, as well as the provisions of Section 1001 of Title 18, U. S. C.

WHEREAS, the applicant has or will provide all annual certifications and assurances to the State of North Carolina required for the project;

NOW, THEREFORE, be it resolved that the (Authorized Official's Title)* County Manager of (Name of Applicant's Governing Body) Macon County Board of Commissioners is hereby authorized to submit grant application (s) for federal and state funding in response to NCDOT's calls for projects, make the necessary assurances and certifications and be empowered to enter into an agreement with the NCDOT to provide rural, small urban, and urban public transportation services.

I (Certifying Official's Name)* Tammy Keezer (Certifying Official's Title) Deputy Clerk to the Board do hereby certify that the above is a true and correct copy of an excerpt from the minutes of a meeting of the (Name of Applicant's Governing Board) Macon County Board of Commissioners duly held on the 10th day of September, 2024.

Signature of Certifying Official

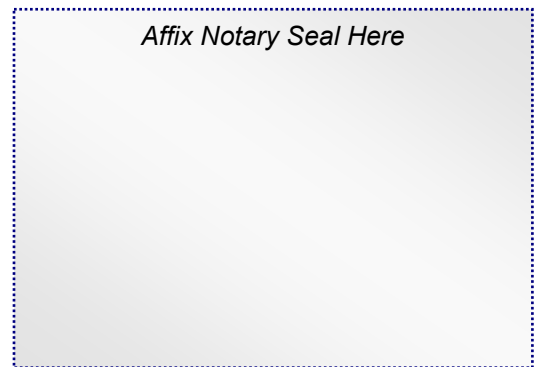
***Note that the authorized official, certifying official, and notary public should be three separate individuals.**

Seal Subscribed and sworn to me
(date) _____

*Notary Public **

Printed Name and Address

My commission expires
(date) _____



UNIFIED GRANT APPLICATION

FY26 LOCAL SHARE CERTIFICATION FOR FUNDING

Macon County
(Legal Name of Applicant)

Requested Funding Amounts

Project	Total Amount	Local Share**
5311 Administrative	\$ <u>230,232</u>	\$ <u>34,536</u> (15%)
5311 Operating (No State Match)	\$ _____	\$ _____ (50%)
5310 Operating (No State Match)	\$ <u>200,000</u>	\$ <u>100,000</u> (50%)
Combined Capital	\$ <u>74,139</u>	\$ <u>7,413</u> (10%)
Mobility Management	\$ _____	\$ _____ (10%)
5310 Capital Purchase of Service	\$ _____	\$ _____ (10%)
ConCPT	\$ 100,000	\$ 50,000 (50%)
Capital Cost of Contracting	\$ _____	\$ _____ (%)
Traveler's Aid	\$ _____	\$ _____ (50%)
_____	\$ _____	\$ _____ (%)
_____	\$ _____	\$ _____ (%)
_____	\$ _____	\$ _____ (%)

Funding programs covered are 5311, 5310, 5339 Bus and Bus Facilities, 5307 (Small fixed route, regional, and consolidated urban-rural systems)

TOTAL	\$ <u>604,371</u>	\$ <u>191,949</u>
	Total Funding Requests	Total Local Share

****NOTE: Applicants should be prepared for the entire Local Share amount in the event State funding is not available.**

The Local Share is available from the following sources:

Source of Funds	Apply to Grant	Amount
<u>EDTAP</u>	<u>5310</u>	\$ <u>78,285</u>
<u>HCCBG</u>	<u>5310</u>	\$ <u>21,715</u>
<u>DSS Medicaid</u>	<u>ConCPT</u>	\$ <u>35,000</u>
<u>Contract Revenue</u>	ConCPT	\$ <u>15,000</u>
<u>General Fund</u>	<u>5311</u>	\$ <u>34,536</u>
<u>General Fund</u>	<u>Combined Capital</u>	\$ <u>7,413</u>

UNIFIED GRANT APPLICATION

		\$ _____
		\$ _____
TOTAL		\$ <u>191,949</u>

**** Fare box revenue is not an applicable source for local share funding**

I, the undersigned representing (*Legal Name of Applicant*) **Macon County** do hereby certify to the North Carolina Department of Transportation, that the required local funds for the FY2026 Community Transportation Program and 5307 Governors Apportionment will be available as of **July 1, 2025**, which has a period of performance of July 1, 2025 – June 30, 2026.

Signature of Authorized Official

County Manager

Type Name and Title of Authorized Official

09/10/2024

Date

UNIFIED GRANT APPLICATION

PUBLIC HEARING RECORD

Important – A public hearing MUST be conducted whether or not requested by the Public.

Section 5311 (including ADTAP), 5310, 5339, 5307 and applicable State funding, or combination thereof.

APPLICANT: Macon County

DATE: 09/10/2024

PLACE: Commissioners Board Room, Macon County Court House

TIME: 6:00 PM

How many BOARD MEMBERS attended the public hearing? _____

How many members of the PUBLIC attended the public hearing? _____

Public Attendance Surveys

(Attached)

(Offered at Public Hearing but none completed)

I, the undersigned, representing (*Legal Name of Applicant*) _____ do hereby certify to the North Carolina Department of Transportation, that a Public Hearing was held as indicated above and

During the Public Hearing

(NO public comments)

(Public Comments were made and meeting minutes will be submitted after board approval)

The estimated date for board approval of meeting minutes is: _____

Signature or Clerk to the Board

Printed Name and Title

Date

Affix Seal Here

UNIFIED GRANT APPLICATION

VOLUNTARY TITLE VI PUBLIC INVOLVEMENT

Title VI of the Civil Rights Act of 1964 requires the North Carolina Department of Transportation (NC DOT) to gather statistical data regarding participants and beneficiaries of the agency's federal-aid programs and activities. NC DOT collects information on race, color, national origin and gender of the attendees to this public meeting to ensure the inclusion of all segments of the population impacted by a proposed project.

NCDOT wishes to clarify that this information gathering process **is completely voluntary** and that you are not required to disclose the statistical data requested to participate in this meeting. This form is a public document used to collect data, only.

The completed forms will be held on file at the North Carolina Department of Transportation. For Further information regarding this process please contact the NCDOT Title VI Program at telephone number 919.508.1808 or email at titlevi@ncdot.gov.

Project Name:		Date:
Meeting Location:		
Name (please print)		Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female
General ethnic identification categories (check one)		
<input type="checkbox"/> Caucasian	<input type="checkbox"/> Hispanic American	<input type="checkbox"/> American Indian/Alaskan Native
<input type="checkbox"/> African American	<input type="checkbox"/> Asian/Pacific Islander	Other: _____
Color:		National Origin:

After completing this form, please fold and place it inside the designated box on the registration table.

Thank you for your cooperation.

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

CATEGORY – OLD BUSINESS

MEETING DATE: SEPTEMBER 10, 2024

10(A). Mr. Knippel will provide an update on efforts to inform the public about the Quarter-Cent Sales Tax Referendum.

10(B). The Farmland Protection Plan presentation was provided at the August 13, 2024 regular meeting. Approval of the plan was tabled to allow for Board members to further speak with local farmers about the plan. Soil and Water Conservation District Director Doug Johnson is requesting approval of the plan at the September 10, 2024, regular meeting and will be present to answer any further questions. A copy of the plan was included in the August 13, 2024 agenda packet.

10(C). Approval of the Macon County Public Health Billing Guide and Fee Plan was tabled at the August 13, 2024, regular meeting. Health Director Kathy McGaha is requesting approval at the September 10, 2024, regular meeting and will be present to answer any additional questions. A copy of the documents was included in the August 13, 2024 agenda packet.

10(D). A public hearing on the Watershed Protection Ordinance was held at the July 9, 2024, regular meeting with a decision tabled to the September 10, 2024 regular meeting. A copy of the proposed change regarding RV Parks was included in the July 9, 2024 agenda packet. However, after additional review by Attorney Ridenour removal of RV Parks from that section would raise the question as to whether RV Parks are classified as residential and subject to the residential standards of density or if they are considered nonresidential and subject to the Special Nonresidential Intensity Allocation standards of density. A revised Resolution of Amendment to the Watershed Protection Ordinance is included in your packet for review with clarifying language that RV Parks

are considered nonresidential. The addition of this sentence does not alter any other section or intent of what was originally noticed in the public hearing, therefore another public hearing is not necessary and the Board can move forward with a decision or other action.

10(E). Included in your packet is a copy of the renewal lease for office space utilized by the North Carolina Department of Adult Corrections of Probation and Parole. This agenda item was previously removed from the April 9, 2024, regular meeting agenda to clarify the language of the lease. A copy of the latest version of the lease approved by the North Carolina Department of Adult Corrections is included in your packet for consideration and approval.

**AMENDMENT BY THE MACON COUNTY BOARD OF COMMISSIONERS
“MACON COUNTY WATERSHED PROTECTION ORDINANCE”**

WHEREAS, the Macon County Board of Commissioners adopted the “Restated and Amended Macon County Watershed Protection Ordinance in compliance NCGS Chapter §160D on November 9, 2021 and

WHEREAS, the Board of Commissioners wishes to make certain specific amendments to the Ordinance in order to remove the prohibition of Recreational Vehicle Parks as a non-permissible use in a Special Non-residential Intensity Allocation.

WHEREAS, the Board of Commissioners has the authority to make such amendments to the Ordinance pursuant to Chapter 601 of Chapter 160D and Article 4 of Chapter 113A of the North Carolina General Statutes; and

WHEREAS, the required Notice of Public Hearing has been duly given and duly published in accordance with the law and the required Public Hearing in connection with such amendments has been duly held in accordance with law.

NOW, THEREFORE, BE IT ORDAINED by the Macon County Board of Commissioners that:

The Macon County Watershed Protection Ordinance is hereby amended and restated to remove the prohibition against the use of Recreational Vehicle Parks from the Special non-residential Intensity Allocation. Watershed ordinance §156.32(C) is hereby amended as follows:

§156.32

(C) *Special Nonresidential Intensity Allocations (SNIA).*

In WS-II -Balance of Watershed, WS-III -Balance of Watershed and EQW watersheds, non residential uses may occupy 10% of the balance of the watershed, which is outside the critical area, with a 70% built-upon area when approved as a special nonresidential intensity allocation (SNIA). The Planning Board is authorized to approve SNIAs consistent with the provisions of this ordinance, and such approved projects shall be awarded on a first come, first serve basis. Projects must minimize built-upon surface area, direct stormwater away from surface waters and incorporate Best Management Practices to minimize water quality impacts. Non-discharging landfills and residuals applications sites are allowed. ~~Recreational vehicle parks shall not be eligible for a SNIA. Recreational Vehicle Parks or Subdivisions, as defined in §156.04, are considered nonresidential and are subject to the SNIA standards.~~

This the ____ day of September, 2024.

Chairman, Macon County Board of Commissioners

ATTEST:

Clerk to the Macon County Board of Commissioners

**THIS LEASE DOES NOT BECOME EFFECTIVE UNTIL EXECUTED
BY THE NORTH CAROLINA DEPARTMENT OF ADULT CORRECTION**

STATE OF NORTH CAROLINA

LEASE AGREEMENT

COUNTY OF MACON

THIS LEASE AGREEMENT, made and entered into this the _____ day of _____, 2024, by and between, **COUNTY OF MACON**, hereinafter designated as Lessor, and the **STATE OF NORTH CAROLINA**, hereinafter designated as Lessee;

WITNESSETH:

THAT WHEREAS, authority to approve and execute this lease agreement was delegated to the Department of Administration by resolution adopted by the Governor and Council of State on the 1st day of September 1981; and as amended on September 8, 1999 and December 7, 1999, and October 6, 2020 and

WHEREAS, the parties hereto have mutually agreed to the terms of this lease agreement as hereinafter set out,

NOW THEREFORE, in consideration of the rental hereinafter agreed to be paid and the terms and conditions hereinafter set forth, Lessor does hereby let and lease unto Lessee and Lessee hereby takes and leases from Lessor for and during the period of time and subject to the terms and conditions hereinafter set out certain space in the **City of Franklin, County of Macon, North Carolina**, more particularly described as follows:


Being approximately ±1,781 net square feet of office space located at 5 West Main Street; Macon County; Franklin, North Carolina, and further described in the floor plan, Exhibit "A".

**NC DEPARTMENT OF ADULT CORRECTION, PROBATION AND PAROLE,
DIVISION 4, DISTRICT 30**

THE TERMS AND CONDITIONS OF THIS LEASE AGREEMENT ARE AS FOLLOWS:

1. The term of this lease shall be for a period of **three (3) years**, commencing on **1st day of September 2024**, or as soon thereafter as the leased premises are ceded to the Lessee and terminating on the **31st August 2027**.
2. During the term of the lease, the Lessee shall pay to the Lessor as rental for said premises the sum of **\$1.00** dollar per annum, said rental to be payable within 15 days from receipt of invoice. The Lessee agrees to pay the aforesaid rental to the Lessor at the address specified, or, to such other address as the Lessor may designate by a notice in writing at least 15 days prior to the due date.
3. Lessor agrees to furnish to the Lessee, as a part of the consideration for this lease, the following services, and utilities to the satisfaction of the Lessee.
 - A. Heating facilities, air conditioning facilities, adequate electrical facilities, adequate lighting fixtures and sockets, hot and cold water facilities, and adequate toilet facilities.
 - B. Maintenance of lawns, sidewalks, shrubbery, parking, paved areas and common areas and disposal of trash is required.

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- C. Lessor provides required fire extinguishers and servicing, pest control, and outside trash disposal, including provision for the handling of recyclable items such as aluminum cans, cardboard, and paper. All pesticides must be applied by a licensed technician.
- D. All utilities except telecommunications.
- E. Daily janitorial service and supplies.
- F. Parking (as available).
- G. If applicable elevator service.
- H. The leased premises are generally accessible to persons with disabilities. This shall include access to the premises from the parking areas (where applicable), into the premises via any common areas of the building and access to accessible restroom.
- I. Any fire or safety inspection fees, stormwater fees, or land transfer tax/fees.
- J. ~~All other terms and conditions of the signed "Proposal to Lease to the State of North Carolina" Form PO-28 incorporated herein by reference and the "Specifications for Non-advertised Lease" (Exhibit B).~~ 

4. During the lease term, the Lessor shall keep the leased premises in good repair and tenantable condition, to the end that all facilities are kept in operative condition. Maintenance shall include but is not limited to furnishing and replacing electrical light fixture ballasts, air conditioning and ventilating equipment filter pads, if applicable, and broken glass. In case Lessor shall, after notice in writing from the Lessee in regard to a specified condition, fail, refuse, or neglect to correct said condition, or in the event of an emergency constituting a hazard to the health or safety of the Lessee's employees, property, or invitees, it shall then be lawful for the Lessee in addition to any other remedy the Lessee may have, to make such repair at its own cost and to deduct the amount thereof from the rent that may then be thereafter become due hereunder. The Lessor reserves the right to enter and inspect the leased premises, at reasonable times, and to make necessary repairs to the premises.

5. It is understood and agreed that Lessor shall, at the beginning of said lease term as hereinabove set forth, have the leased premises in a condition satisfactory to Lessee, including repairs, painting, partitioning, remodeling, plumbing and electrical wiring suitable for the purposes for which the leased premises will be used by Lessee.

6. The Lessee shall have the right during the existence of this lease, with the Lessor's prior consent, to make alterations, attach fixtures and equipment, and erect additions, structures, or signs in or upon the leased premises. Such fixtures, additions, structures, or signs so placed in or upon or attached to the leased premises under this lease or any prior lease of which this lease is an extension or renewal shall be and remain the property of the Lessee and may be removed therefrom by the Lessee prior to the termination of this lease or any renewal or extension thereof, or within a reasonable time thereafter. The Lessee shall have no duty to remove any improvement or fixture placed by it on the premises or to restore any portion of the premises altered by it. In the event Lessee elects to remove his improvements or fixtures and such removal causes damage or injury to the demised premises, Lessee will repair only to the extent of any such damage or injury.

7. If the said premises are destroyed by fire or other casualty without fault of the Lessee, this lease shall immediately terminate, and the rent shall be apportioned to the time of the damage. In case of partial destruction or damage by fire or other casualty without fault of the Lessee, so as to render the premises untenable in whole or in part, there shall be an apportionment of the rent until the damage has been repaired. During such a period of repair, Lessee shall have the right to obtain similar office

space at the expense of Lessee or the Lessee may terminate the lease by giving 15 days written notice to the Lessor.

8. Lessor shall be liable to Lessee for any loss or damage suffered by Lessee which is a direct result of the failure of Lessor to perform an act required by this lease, and provided that Lessor could reasonably have complied with said requirement.

9. Upon termination of this lease, the Lessee will peaceably surrender the leased premises in as good order and condition as when received, reasonable use and wear and damage by fire, war, riots, insurrection, public calamity, by the elements, by act of God, or by circumstances over which Lessee had no control or for which Lessor is responsible pursuant to this lease, excepted.

10. The Lessor agrees that the Lessee, upon keeping and performing the covenants and agreements herein contained, shall at all times during the existence of this lease peaceably and quietly have, hold, and enjoy the leased premises free from the adverse claims of any person.

11. The failure of either party to insist in any instance upon strict performance of any of the terms and conditions herein set forth shall not be construed as a waiver of the same in any other instance. No modification of any provision hereof and no cancellation or surrender thereof shall be valid unless in writing and signed and agreed to by both parties.

12. Any hold over after the expiration of the said term or any extension thereof, shall be construed to be a tenancy from month to month, and shall otherwise be on the terms and conditions herein specified, so far as applicable; however, either party shall give not less than 60 days written notice to terminate the tenancy.

13. The parties to this lease agree and understand that the continuation of this lease agreement for the term period set forth herein, or any extension or renewal thereof, is dependent upon and subject to the appropriation, allocation, or availability of funds for this purpose to the agency of the Lessee responsible for payment of said rental. The parties to this lease also agree that in the event the agency of the Lessee or that body responsible for the appropriations of said funds, in its sole discretion, determines, in view of its total local office operations that available funding for the payment of rents are insufficient to continue the operation of its local offices on the premise leased herein, it may choose to terminate the lease agreement set forth herein by giving Lessor written notice of said termination, and the lease agreement shall terminate immediately without any further liability to Lessee.

14. All notices herein provided to be given, or which may be given by either party to the other, shall be deemed to have been fully given when made in writing and deposited in the United States mail, certified and postage prepaid and addressed as follows:

To the Lessor:

**Macon County
5 West Main Street
Franklin, North Carolina 28734**

w/copy to: N/A

To the Lessee:

**NC Department of Adult Correction (DAC), Purchasing Office
3512 Bush Street (MSC 5227)
Raleigh, North Carolina 27609-5227**

with a copy to:

**State Property Office
Attn: Leasing Manager and Space Planning Section
1321 Mail Service Center
Raleigh, North Carolina 27699-1321**

Nothing herein contained shall preclude the giving of such notice by personal service. The address to which notices shall be mailed as aforesaid to either party may be changed by written notice.

15. Within 30 days of Commencement Date, Lessor agrees to construct, upfit, repair and maintain the Premises in accordance with (a) the approved floor plan attached hereto as Exhibit A and (b) the applicable regulation and building code provisions of the governmental authority having jurisdiction over the Premises.

16. N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

IN TESTIMONY WHEREOF, this lease has been executed by the parties hereto, in duplicate originals, as of the date first above written.

The rest of this page is intentionally left blank.

LESSEE:

STATE OF NORTH CAROLINA

By: _____ (SEAL)
Joanne Rowland, Director
DAC Purchasing Office

STATE OF NORTH CAROLINA
COUNTY OF _____

I, _____, a Notary Public in and for the County and State aforesaid, do hereby certify that **Joanne Rowland** personally appeared before me this date and acknowledged the due execution by s/he of the foregoing instrument as Director of Purchasing Office of the Department of Adult Correction of the State of North Carolina, for the purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal this the ____ day of _____, 2024.

Notary Public

Printed Name: _____

My Commission Expires: _____

LESSOR:

MACON COUNTY

By: _____ (SEAL)

Derek Roland
Macon County Manager

STATE OF NORTH CAROLINA
COUNTY OF _____

I, _____, a Notary Public in the County of _____
_____, and State aforesaid, do hereby certify that **Derek Roland** personally came
before me this day and acknowledge the due execution of the foregoing instrument on behalf of the
limited liability company and for the purposes stated herein.

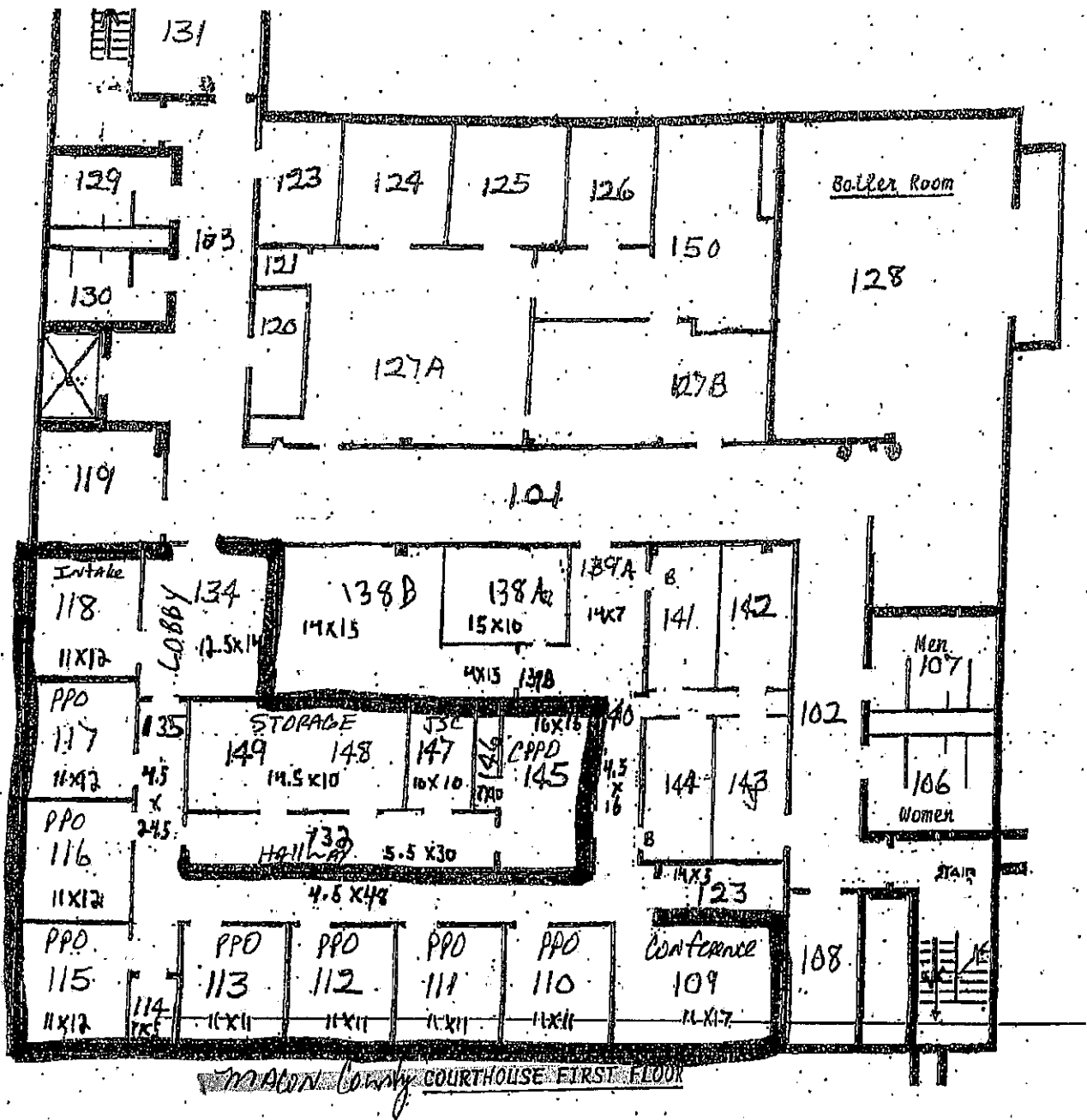
IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal this the ____ day of
_____, 2024.

Notary Public

Printed Name: _____

My Commission Expires: _____

Exhibit A



total 1,781 square feet

Exhibit B

SPECIFICATIONS FOR NON-ADVERTISED LEASE

- ~~1. The floor plan should show building exits for the proposed space. Also, provide the year the building was constructed.~~
 - ~~2. This facility must provide an environment that is barrier free and easily accessible to physically disabled staff, visitors and clientele. Compliance with the State Building Code and the Americans with Disabilities Act (ADA) is required. Toilet facilities shall be ADA accessible and code compliant.~~
 - ~~3. The air conditioning and heating system shall be maintained by Lessor including frequent filter cleaning and replacement. Year round ventilation shall be provided to prevent stale air problems and unacceptable CO2 content. Waiting areas, LAN rooms and conference room(s) may require additional HVAC.~~
 - ~~4. Telecommunication room temperature should be within a range of 65° to a maximum of 75°. This is a 24 hour per day, 7 days per week requirement. A separate HVAC system may be required to maintain this temperature range.~~
 - ~~5. All lighting and electrical maintenance shall be furnished by Lessor including the replacement of ballasts, light tubes, and replacement bulbs.~~
 - ~~6. The Lessor shall provide required fire extinguishers and servicing, pest control (by a licensed technician) and outside trash disposal including provision for the handling of recycling items such as aluminum cans, cardboard, and paper. Frequent trash and recycling pick-up required. Year round maintenance is required to maintain a neat and professional appearance of the site at all times.~~
 - ~~7. Lessor shall provide internal and external signs that will provide easy identification of the office by the general public (if applicable NC DAC request please work to be performed by Correction Enterprises).~~
-
- ~~8. Locking hardware is required on all storage rooms, equipment rooms, files rooms and LAN room. Supply storage closets require shelving.~~
 - ~~9. The Lessor shall provide sufficient window coverings shall be provided to control glare within the space (venetian blinds or acceptable equivalent).~~

- ~~10. The Lessor shall provide vinyl tile or other floor covering acceptable to the State in all finished areas. Prefer carpeting for all offices and conference rooms. If floors are carpeted, they should be commercial grade 26 oz or 24 oz carpet squares preferred, acceptable to the Lessee. LVT tile is preferred in the waiting area, LAN room(s), kitchenette, restrooms and hallways. LAN room tile should be anti-static. New or like new carpet is preferred. If not new, carpet must be professionally cleaned and all stains removed before occupancy. High traffic areas will require frequent cleaning and replacement of floor finishes to maintain a neat, clean, high-quality finish and will be at the State Property Office's discretion.~~
- ~~11. Lessor shall shampoo all carpet and clean the outside of the building windows annually.~~
- ~~12. Lessor shall be responsible for snow and debris removal as quickly as possible to avoid work delays.~~
- ~~13. The per square foot price proposal is based on the floor plan and repair lists agreed upon by the State of North Carolina and includes but it not limited to all partitions, demolition, and up fitting costs: building and grounds maintenance; property taxes; insurance; fire and safety inspection fees; stormwater fees; land transfer tax; common area maintenance and other building operational costs.~~
- ~~14. The number of keys to be provided to the State for each lockset shall be reasonably determined by the State prior to occupancy, at no cost to the State.~~
- ~~15. All parking areas shall be adequately lighted and located within a reasonable distance of the office.~~
- ~~16. Lessor shall provide all conduits and pull strings from above the ceiling to outlet boxes. State to install wiring and cover plates.~~
- ~~17. Lessor is responsible for providing all cleaning supplies, paper and soap products for kitchen and bathrooms regardless of who contracts for janitorial services.~~

The lessor is in agreement with the above conditions and the conditions of the also signed "proposal to Lease to the State of North Carolina" Form PO-28.

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

CATEGORY – NEW BUSINESS

MEETING DATE: SEPTEMBER 10, 2024

11(A) – 11 (C). Macon County School Superintendent Josh Lynch has requested to add these items to the agenda for discussion and consideration. Mr. Lynch and members of the Macon County School Board will be present to provide information and answer questions.

11(D). County Attorney Ridenour and Administrative Staff have reviewed the current Macon County Book of Ordinances in preparation for submission to MUNICODE for codification and placement on the Macon County website. During the review, these ordinances were determined to no longer be needed. Attorney Ridenour will provide additional information at the meeting.

11(E). This item has been added to the agenda at the request of Commissioner Young and is regarding the potential use of County recreational facilities. Commissioner Young will provide additional information at the meeting.

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

CATEGORY – CONSENT AGENDA

MEETING DATE: SEPTEMBER 10, 2024

Item 12A. Draft minutes from the August 13, 2024 regular meeting are attached for the board's review and approval. (Tammy Keezer)

Item 12B. Budget Amendments #53-68 are attached for your review and approval. (Lori Carpenter)

Item 12C. Resolution Approving Plat Review Officers. (Abby Braswell)

Item 12D. Tax releases for the month of August 2024 in the amount of \$18,462.31, per the attached memorandum from Tax Collections Supervisor Delena Raby.

Item 12E. The settlement report for 2021 taxes, as required by state statute, from Tax Collections Supervisor Delena Raby.

Item 12F. A copy of the ad valorem tax collection report as of August 31, 2024. Report only. No action is necessary. (Delena Raby)



MACON COUNTY BOARD OF COMMISSIONERS
August 13, 2024
REGULAR MEETING MINUTES

Chairman Shields called the meeting to order at 6:00 p.m. All Board Members, County Manager Derek Roland, Deputy Clerk Tammy Keezer, Finance Director Lori Carpenter, and County Attorney Eric Ridenour were present, as were a number of county employees, media, and citizens.

ANNOUNCEMENTS - None

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

PLEDGE OF ALLEGIANCE: Led by Commissioner Shields, the pledge to the flag was recited.

PUBLIC HEARING(S):

- (A) **Funding Franklin High School** – Commissioner Shields opened the public hearing at 6:09 p.m. Mitch Brigulio with Davenport Public Finance gave an update on the history and planning for the Franklin High School Project. He indicated that several direct bank loan options as well as the public sale of municipal bonds in the public market place have been considered. Mr. Brigulio said the public sale of limited obligation bonds was producing better interest rates for Macon County in the current market. He said the project will be funded with a limited obligation bond secured by the high school itself which is a typical way of financing schools in North Carolina. Mr. Brigulio shared the process of going through a rating agency to get the bonds rated and those ratings will be back before the bond sale. He said the application has been submitted to the Local Government Commission (LGC) and will be considered by the LGS at their meeting on September 10, 2024, with the bond sale scheduled for September 11, 2024. Mr. Brigulio clarified that September 11, 2024, is the date that the bonds will be offered and the interest rates will be set on those bonds and that is the key date that we will know the final interest rates on the bonds. He said the closing is scheduled for September 26, 2024, at which time the funds will be deposited in the bank to start funding expenditures. Mr. Brigulio explained the two resolutions that would need to be considered and approved tonight. He said the first is the findings resolution which makes the findings required by LGC for their approval of the bonds as well as ratification of the application to the LGC, and the second is a final resolution which approves the terms and conditions of the sale of the bonds subject to certain parameters which will not be known until the sale of the bonds. Mr. Brigulio further explained the specifics of the resolutions [Attachment 1 and Attachment 2]. He clarified that we are only going to issue the amount of bonds that are needed to fund the project which is just under 135 million dollars. Mr. Brigulio indicated that we have the 62 million dollar grant so we are looking to fund project costs around 72.8 million dollars plus the cost of the financing. He said we will be borrowing over 20 years with an

estimated total payback of 100 million dollars based on current interest rates.

Commissioner Shields opened the floor for public comment at 6:19 p.m. for those who had signed up to speak. **Richard Lightner** spoke about the cost of the high school compared to several years ago when the conversation about a new school began saying it is time to build a new school. At 6:22 p.m., Commissioner Shearl made a motion, seconded by Commissioner Antoine, to close the public hearing. The vote was unanimous. Commissioner Shearl expressed concern about approving financing for the project at this time since we do not know the final costs. Representatives from Carroll Daniel Construction spoke about the bidding process reporting they are currently under 123 million dollars for the construction cost and estimate the complete package will be under 135 million dollars and within the budget that was previously submitted. Commissioner Shearl read a statement that he had prepared regarding the status of the current Franklin High School and said his vote would be no as he feels the current sight will not provide the needs of the students and community. Commissioner Higdon said he shares some of Commissioner Shearl's concerns and feels the area is going to be too congested. Commissioner Young made a motion, seconded by Commissioner Antoine, to approve the Preliminary resolution in support of County financing for the new Franklin High School. The vote was 3 to 2 with Commissioner Young, Commissioner Antoine, and Commissioner Shields voting in favor of the motion and Commissioner Higdon and Commissioner Shearl voting in opposition. Commissioner Shields made a motion, seconded by Commissioner Young to approve the Resolution providing final approval of terms and documents for financing for financing construction of a new Franklin High School. The vote was 3 to 2 with Commissioner Young, Commissioner Antoine, and Commissioner Shields voting in favor of the motion and Commissioner Higdon and Commissioner Shearl voting in opposition.

Mr. Brigulio spoke about the financial policies that are needed and indicated that the drafts included in the packet are available in the office of the Clerk to the Board and had been developed with the assistance of Macon County staff. He reviewed and explained the policies and said these are largely things we are already doing but do not currently have the written policies. Mr. Roland said we have talked about this regularly and have worked with our financial advisors on these. He said the financial position that Macon County is currently in is a result of good financial stewardship and as the board membership and staff changes these policies will continue to be the guidebook to allow us to continue to do what we are doing today. Commissioner Shields made a motion, seconded by Commissioner Antoine to approve the financial policy guidelines as presented. The vote was unanimous.

PUBLIC COMMENT PERIOD: **Kenny Elkins** spoke about an Animal Control issue and said he pays his taxes and expects those who get paid by those tax dollars to do their job. He said we need laws to protect the property from animals in addition to the laws that protect the animals and asked for the right to protect his property. **Kenneth McKaskell** said he was representing the Macon County Farm Bureau Board of Directors and spoke in opposition to changes to the Soil and Erosion Control Ordinance. **Jennifer Mrugala** said she conducts regional work involving Macon County and was speaking as an elected member of the MountainWise regional initiative. She began speaking about a personnel issue and Attorney Ridenour interrupted her and explained that she could not speak about personnel issues. Ms. Mrugala indicated that

\$200,000 that was for the region was returned to Dogwood Health Trust by the Health Director and has affected the salaries for eleven employees, the Macon County Farmers Market, 30 local farmers, and WIC families. She said she believes this action is causing harm to Macon County residents and those of the region and asked for an investigation and clarity of what is happening. Attorney Ridgenour clarified that this board is not the board that governs the health department. **Dr. Patrick Baron** spoke about a community food security assessment that had been conducted which included data about the use of the food pantry and the impact on food security. He gave some statistics indicating that at least 40 percent of residents have used the food pantry. Dr. Baron said that the action taken by the Health Director had cut some of the key programs and affected the most vulnerable citizens. He said he feels these actions were taken without the consent or informed process of the coalition of 130-plus people who have been very active and committed. **Sarah Crawford-Miller** spoke on behalf of the Produce Prescription program at the health department and said she is a stay-at-home Mom and this program has allowed her to receive fresh produce, sourdough bread, etc. and eating healthy foods that she knows helped keep farmers in business. She spoke in support of the program. **Bill McClarney** spoke in opposition to changes to the soil and erosion control ordinance. He said he has provided the Board with a technical document for review and said when he requested to meet with Board members he was advised that the meeting would be a violation of the public meeting laws. Mr. McClarney asked Attorney Ridenour to explain whether the Open Meetings Law applied to a single meeting between a Board member and concerned citizens. He further asked if the subcommittee assigned to review the ordinances met the criteria of the Open Meetings Law. Mr. McClarney said he feels the flow of information is being impeded. Attorney Ridenour said there was no issue with a Board member speaking with a citizen of the community. **Rose James** said she and others were going to speak to the health board about the previously mentioned issue, but the staff person was fired three days before the presentation. She identified herself as a nurse and said she has collaborated with MountainWise for many years. She talked about the Produce Prescription program with foods sourced from local farmers and explained what nutrition security is and its relation to chronic disease. Ms. James said she could not think of any other leader who would turn down \$200,000. **Hazel Norris** spoke about the Soil and Erosion Control Ordinance and said you cannot control the rivers, creeks, branches, etc. **Susan Ervin** spoke about the Soil and Erosion Control Ordinance and said she was on the Planning Board when the current ordinance was written. She talked about the history of writing and approving the current ordinance and expressed concern that there has been no sufficient process to discuss the issue and expressed opposition to any changes. **Carolyn Porter** spoke in opposition to changes in the Soil and Erosion Control Ordinance. She talked about damage caused by erosion, sediment, silt, and other issues. **Alex Haiss** spoke in opposition to the Soil Erosion and Sedimentation Ordinance changes. He said the changes would cause irreversible damage to the county and requested the Board listen to the experts. Mr. Haiss cautioned that making the wrong decision is not a mistake that we can fix and asked to protect the land and rivers so future generations can enjoy them as much as we do today. Additional citizens were signed up to speak but the time limit for public comment was reached. Those who were signed up and did not get an opportunity to speak will be placed at the top of

the public comment list at the next meeting as explained by Commissioner Shields.

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

- To add Item 9(C) under Reports/Presentations, Nantahala Library Community Center Update, per Commissioner Higdon
- To move Item 12(C) under Consent Agenda, Macon County Public Health Billing Guide and Fee Plan, to Item 11(B), under New Business per Commissioner Shearl
- To add Item 11(C) under New Business, Declaration of service weapon as surplus property, per Ms. Keezer

REPORTS/PRESENTATIONS

(A) UPDATE ON THE VAYA HEALTH TAILORED PLAN – Shelly Foreman, Community Relations Regional Director for VAYA Health informed board members that as of July 1, 2024, VAYA Health is responsible for all the physical health, and pharmacy needs of the participants in their plan. She said VAYA will continue to offer behavioral health services for those with developmental and intellectual needs. Ms. Foreman stated that VAYA Total Care will be contracted with regional hospitals, health departments, durable medical equipment, etc. to provide services and will continue to work with participants to get providers enrolled in the VAYA Total Care network. A copy of Ms. Foreman’s PowerPoint presentation is available in the office of the Clerk to the Board.

(B) FARMLAND PROTECTION PLAN – Soil and Water Conservation District Director Doug Johnson introduced the award of a grant in 2022 to develop a farmland protection plan. He said the Foothills Regional Commission was then hired to develop the plan. Representatives from the Foothills Regional Commission explained the process for preparing the plan including data collection, surveying farmers, etc., and shared a PowerPoint presentation to explain the results including the farming acreage, crops, livestock, etc. in Macon County and the recommendations to invest in local farmers markets, increase awareness and support for those that are interested in transition planning, Conservation Easements that allow farmers to protect and preserve their farms, supporting the Macon County Fair as one of the last of agricultural fairs in the state, etc. Commissioner Shields made a motion, seconded by Commissioner Antoine. Commissioner Shearl asked what the cons were to adopting the plan and said he would like time to communicate with some of the farmers and vote on this at the next meeting. Commissioner Shields withdrew his motion and tabled any action until the September 10, 2024, regular meeting. A copy of the plan is available in the office of the Clerk to the Board.

(C) NANTAHALA LIBRARY AND COMMUNITY CENTER UPDATE - Project Manager Jack Morgan said the facility was finished except for some minor issues that are being addressed. Commissioner Higdon said they need to buy some picture frames at a cost around \$800. Ms. Carpenter confirmed there should be funds available to cover the cost. Commissioner Higdon thanked Mr. Morgan for his work on the project and said the residents were appreciative as well.

OLD BUSINESS:

(A) HIGHLANDS SCHOOL EARLY DESIGN AND RELEASE COST - Kevin Aull with Vannoy Construction requested approval of \$185,500 to continue the efforts for deep foundations design, procurement for potential deep foundation design, design work for the steel structure for the addition, and additional funds for investigation of soil and water contamination. He said the intent was to deliver a full GMP package at this meeting but some additional reports and findings came in at the last minute. Mr. Aull said this amount allows them to stay on track as they work through these additional items. Commissioner Shearl said he felt like some of these studies should have been done before a design was completed and his concern is whether Highlands School is even worthy of spending ten million dollars. He asked about the chances of the fuel tank being compromised and contamination to the back area of the school which would jeopardize the soccer fields. Commissioner Shearl said we are not on unlimited funds to keep funding these unknowns. Commissioner Young said there are engineers and other professionals directly in Highlands that could answer some of these questions as they probably designed the school initially. He said he does not think we have a choice but to remove the tank. Mr. Aull said soil testing did show there has been a petroleum leak but the remediation requirements are unactionable according to the North Carolina Department of Environmental Quality (NCDEQ) requirements. Mr. Roland asked if the \$185,000 would be accounted for when the GMP is complete. Mr. Aull said the \$185,000 would be a reduction and we would be given credit for this amount in the GMP. Commissioner Higdon said you are dealing with a property that is older than the Franklin High School (FHS) property yet we are tearing down everything at FHS. Commissioner Shields made a motion, seconded by Commissioner Shearl to approve \$185,500 and a budget amendment in the same amount from the general fund balance to move forward with this scope of work as presented by Vannoy Construction. The vote was 4-1 with Commissioner Shields, Commissioner Shearl, Commissioner Antoine, and Commissioner Young voting in favor of the motion and Commissioner Higdon opposed.

(B) CONSIDERATION AND APPROVAL OF COST ESTIMATE FOR COMPLETION OF WESLEY'S PLAYGROUND PROJECT - Project Coordinator Jack Morgan said he asked for money to drill a well at Wesley's Playground in April 2024 and the well has been completed and is producing 55 gallons of water per minute. He presented an estimate of \$20,000 to finalize the project and get the well connected and the water feature repaired and operational for next summer. Commissioner Young made a motion, seconded by Commissioner Higdon, to approve the proposal as presented in the amount of \$22,000 and the budget amendment to allow for some contingency funds from the general fund contingency. The vote was unanimous.

(C) DISCUSSION AND CONSIDERATION OF POTENTIAL SALE OR TRANSFER OF OWNERSHIP OF COWEE SCHOOL - Attorney Ridenour said there were six different options included in the agenda packet for the board to decide what they want to do with the property. Commissioner Shields said that he has spoken to Cowee School board members Bobby Koppers and Bobby McCullom who wanted to present another option. Mr. Koppers said the board had hoped to extend the current contract for two to three years then the board for the non-profit take over the facility and he thinks they are on the path to do so. Commissioner Higdon said the agreement by this board had been that the County would subsidize the school for three years and it would then be self-sustaining. He said the amount of subsidy has gone up and down and the agreement needs to be cleaned up since we are beyond the initial three years. Mr. McCullom spoke and said the economy has impacted private donations and they have been in the budget for the lights and gas only for the past few

years. He said they want to put themselves in the position to acquire the school but do not want to put themselves in the position of disrupting or degrading what they do. Mr. McCullom invited the board to visit individually or to hold a formal meeting there in the future. Commissioner Young said he was willing to gift the facility to them for \$1.00 and asked why they were hesitant. Mr. McCullom said he had a board meeting geared to gather the information needed and would bring it back to the September meeting. Further discussion was tabled to the September 10, 2024, regular meeting.

(D) DISCUSSION REGARDING SOIL EROSION AND SEDIMENTATION

ORDINANCE - Commissioner Young said there is no malicious intent here as we are currently encouraging folks to go apply for a permit and say the property is less than an acre to avoid the engineered plan that is required. He said most sites in Macon County are more than a half-acre and people are also renting equipment themselves and not following the silt fence guidelines. Commissioner Young expressed appreciation for the effort and time that has been put into this and said he hopes everyone can respectfully agree to disagree. He said he also thinks the County needs to do a better job enforcing the ordinances. Commissioner Shearl made a motion, seconded by Commissioner Higdon to adopt the changes from a half-acre to one-acre as recommended by the Planning Board. Commissioner Shearl said we need to look at violations and stop orders. The vote was 4-1 with Commissioner Shearl, Commissioner Higdon, Commissioner Shields, and Commissioner Young voting in favor of the motion and Commissioner Antoine opposed.

NEW BUSINESS:

(A) DISCUSSION REGARDING SCHOOL LUNCHESES AT FRANKLIN HIGH SCHOOL AND HIGHLANDS SCHOOL

SCHOOL AND HIGHLANDS SCHOOL – Macon County School Nutrition Director David Lightner said he is requesting that the Board provide up to \$200,000 to provide school lunches for Franklin High School (FHS) and Highlands School for the upcoming school year. He explained how school nutrition is funded and provided a handout. Mr. Lightner said FHS and Highlands School do not currently qualify for the Community Eligibility Provision (CEP) program and spoke about the objectives, solutions, and benefits from the handout. A copy of the handout is available in the office of the Clerk to the Board. Commissioner Shields asked why this request was after the approval of the budget and Mr. Lightner explained that the reporting of the data happens very late in the school year and applications are turned in in June. After additional discussion, Commissioner Shields made a motion, seconded by Commissioner Antoine, to approve \$200,000 as requested from the general fund balance for school lunches for FHS and Highlands School. The vote was 3-2 with Commissioner Shields, Commissioner Antoine, and Commissioner Young voting in favor of the motion and Commissioner Higdon and Commissioner Shearl opposed.

(B) MACON COUNTY PUBLIC HEALTH BILLING GUIDE AND FEE PLAN -

Commissioner Shearl said this item was originally on the consent agenda and he asked for it to be removed. He stated he would like to table this until next month to get a better understanding of the fee schedule as a whole. Health Director Kathy McGaha said they will go by the old fees until the Board approves a new schedule. Commissioner Shearl made a motion, seconded by Commissioner Higdon to table the item until September. The vote was unanimous.

(C) DECLARATION OF SERVICE WEAPON AS SURPLUS PROPERTY

- Ms. Keezer stated Sheriff Holbrooks is requesting the service weapon for Captain Tim Holland be declared surplus property due to his retirement scheduled for August 15, 2024. She said the weapon is a Glock, model G17, serial#

BMWF781. Commissioner Higdon made the motion, seconded by Commissioner Shearl, to declare the weapon as surplus property and then allow Captain Holland to purchase the weapon for one dollar. The vote was unanimous.

CONSENT AGENDA: Upon a motion by Commissioner Young, seconded by Commissioner Higdon, the board voted unanimously to approve the consent agenda as adjusted which includes: (A) Minutes of the July 9, 2024 regular meeting, (B) Budget Amendments #29-42, (C) Macon County Public Health Billing Guide and Fee Plan – moved to New Business as requested by Commissioner Shearl, (D) Ratification of fireworks permit for fireworks display held on August 2, 2024, (E) Tax releases for the month of July in the amount of \$4,515.20, and (F) Monthly ad valorem tax collection report for which no action is necessary.

APPOINTMENTS - None

CLOSED SESSION: At 10:40 p.m., upon a motion by Commissioner Shearl, seconded by Commissioner Shields, the board voted unanimously to go into closed session as allowed under NCGS 143-318.11(a)(3) to preserve the attorney-client privilege, (a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease, and (a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. At 11:47 p.m., upon a motion by Commissioner Shearl, seconded by Commissioner Young, the board voted unanimously to come out of closed session and return to open session.

ADJOURN: With no other business, at 11:49 p.m., upon a motion from Commissioner Shields, seconded by Commissioner Antoine, the board voted unanimously to adjourn.

Derek Roland
Ex Officio Clerk to the Board

Gary Shields
Board Chair

STATE OF NORTH CAROLINA

COUNTY OF MACON

RESOLUTION

APPOINTING PLAT REVIEW OFFICERS

WHEREAS, North Carolina General Statute 47-30.2 transfers from the Register of Deeds to a Review Officer the responsibility for reviewing land plats to determine whether they meet recording requirements; and

WHEREAS, North Carolina General Statute 47-30.2 requires the Board of Commissioners to, by resolution, appoint one or more persons as the Review Officer(s); and

WHEREAS, it is the desire of the Macon County Board of Commissioners to insure an expeditious review of all maps and plats as required by G.S. 47-30.2 before they are presented to the Register of Deeds for recording

NOW, THEREFORE BE IT RESOLVED effective August 13, 2024 that Lori Harkins, Michael C. Hall, Michael W. Ramsey of the Macon County Mapping Department and Wesley D. Hall of the Macon County GIS Department are hereby appointed to perform all responsibilities as required of the Review Officer under the appropriate North Carolina General Statutes.

BE IT FURTHER RESOLVED, that a copy of this Resolution designating the Review Officers be recorded in the Macon County Register of Deeds Office and indexed in the name of the Review Officer.

ADOPTED this the 10th day of September 2024

Gary Shields, Chairman
Macon County Board of Commissioners

ATTEST:

Derek Roland, Clerk to the Board

Macon County Tax Office
5 West Main Street
Franklin, NC 28734



Phone: (828) 349-2149
draby@maconnc.org

TO: MACON COUNTY COMMISSIONERS

FROM: Macon County Tax Collector's Office
Delena Raby, Tax Collections Supervisor

DATE: September 5, 2024

RE: Releases for August 2024

Attached please find the report of property tax releases for real estate and personal property that require your approval in order to continue with the process of releasing these amounts from the tax accounts. Please feel free to contact me if you should have any questions. The report of releases in alphabetical order is attached.

AMOUNT OF RELEASES FOR AUGUST 2024: \$ 18,462.31

RELEASES REPORT
Macon County

NAME	BILL NUMBER	OPER	DATE/TIME	DISTRICT	VALUE	AMOUNT
154915 DOWNS, VALERIE JEAN LIFE ESTATE	2024-78734	DY:ORP:6593436323 LAS	12/31/9999 12:00:00 AM			
		CLERICAL ERROR		G01 ADVL TAX	71,300.00	192.51
		CLERICAL ERROR		F02 ADVL TAX	71,300.00	38.36
		oa did not apply onto the bill		TOTAL RELEASES:		230.87
156473 SCHINDLER, WILLIAM PATRICK	2024-301670	DY: PERSONAL PROPERTY LAS	12/31/9999 8:17:14 AM			
		CLERICAL ERROR		G01 ADVL TAX	153,910.00	415.56
		CLERICAL ERROR		F10 ADVL TAX	153,910.00	29.40
		CLERICAL ERROR		H01 ADVL TAX	153,910.00	157.30
		BOATS SITUS IS IN JACKSON COUNTY		TOTAL RELEASES:		602.26
138378 OWENBY, HOYT N.	2024-59251	DY:ORP:6518612425 LAS	12/31/9999 9:31:35 AM			
		CLERICAL ERROR		G01 ADVL TAX	58,010.00	156.63
		CLERICAL ERROR		L01 FFEEFEE	58,010.00	120.00
		CLERICAL ERROR		F09 ADVL TAX	58,010.00	28.25
		HOUSE WAS ON WRONG PARCEL		TOTAL RELEASES:		304.88
91654 BURROWS, DANDRA LEE	2024-194	DY:ORP:6488737040 LAS	12/31/9999 9:57:51 AM			
		CLERICAL ERROR		G01 ADVL TAX	49,700.00	134.19
		CLERICAL ERROR		F03 ADVL TAX	49,700.00	34.29
		SQUARE FOOTAGE INCORRECT ON GARAGE		TOTAL RELEASES:		168.48
155961 SANTJER, ARNOLD JACKIE	2024-301557	DY:ORP:6587509503 LAS	12/31/9999 10:01:46 AM			
		CLERICAL ERROR		G01 ADVL TAX	91,500.00	247.05
		CLERICAL ERROR		F01 ADVL TAX	91,500.00	64.05
		CLERICAL ERROR		L01 FFEEFEE	91,500.00	120.00
		MOBILE HOME NEEDS TO BE ON PERSONAL PROPERTY. IT IS IN IAN CHARLES BRODNAX NAME ONLY		TOTAL RELEASES:		431.10
143879 QUANTUM RESTAURANT GROUP LLC	2024-203682	DY: PERSONAL PROPERTY LAS	12/31/9999 10:01:50 AM			
		CLERICAL ERROR		G01 ADVL TAX	72,018.00	194.45
		CLERICAL ERROR		G01 PEN FEE	72,018.00	19.45
		CLERICAL ERROR		F01 ADVL TAX	72,018.00	50.41
		CLERICAL ERROR		F01 PEN FEE	72,018.00	5.04
		CLOSED BUSINESS PER LISTING FORM		TOTAL RELEASES:		269.35
150756 CRUSE, RICHARD ALLAN, CRUSE, MICHAEL KENDALL	2024-71081	DY:ORP:6582520954 LAS	12/31/9999 10:19:24 AM			
		CLERICAL ERROR		G01 ADVL TAX	91,010.00	245.73
		CLERICAL ERROR		F03 ADVL TAX	91,010.00	62.80
		OA DID NOT GET APPLIED ONTO THE BILL		TOTAL RELEASES:		308.53
143456 NEEL, TONY G.	2024-73314	DY:ORP:6584799656 LAS	12/31/9999 10:20:10 AM			
		CLERICAL ERROR		G01 ADVL TAX	100,470.00	271.27
		CLERICAL ERROR		F01 ADVL TAX	100,470.00	70.33
		OA WAS NOT APPLIED TO THE ACCOUNT		TOTAL RELEASES:		341.60

RELEASES REPORT
Macon County

NAME	BILL NUMBER	OPER	DATE/TIME	DISTRICT	VALUE	AMOUNT
150887 DDK PARIVAR, LLC	2024-80531	DY:ORP:6595204190 LAS	12/31/9999 10:53:49 AM			
		CLERICAL ERROR REMOVED 14 ADDITIONAL LANDFILL FEES. THERE SHOULD ONLY BE 3 LANDFILL FEES CHARGED PER TOMMY		L01 FFEEFEE	0.00	1,680.00
				TOTAL RELEASES:		1,680.00
143949 AMASWAZI, INC	2024-56571	DY:ORP:6488794639 LAS	12/31/9999 12:04:28 PM			
		CLERICAL ERROR charged too many landfill fees (3)		L01 FFEEFEE	0.00	360.00
				TOTAL RELEASES:		360.00
156342 TEEM, JOSHUA L	2024-93733	DY:ORP:7514069863 ZAD	12/31/9999 12:19:24 PM			
		CLERICAL ERROR		G01 ADVL TAX	9,300.00	25.11
		CLERICAL ERROR		L01 FFEEFEE	9,300.00	120.00
		CLERICAL ERROR		F04 ADVL TAX	9,300.00	4.46
		SWMH REMOVED 12/2023		TOTAL RELEASES:		149.57
11017 THOMPSON, PHILLIP D & JUDY	2023-48030	DY: PERSONAL PROPERTY ZAD	12/31/9999 12:21:23 PM			
		CLERICAL ERROR		G01 ADVL TAX	1,850.00	5.00
		CLERICAL ERROR		F10 ADVL TAX	1,850.00	0.35
		NOT LOCATED IN MACON CO		TOTAL RELEASES:		5.35
136638 WILSON, LISA	2024-52983	DY: PERSONAL PROPERTY ZAD	12/31/9999 12:26:40 PM			
		CLERICAL ERROR		G01 ADVL TAX	1,660.00	4.48
		CLERICAL ERROR		F05 ADVL TAX	1,660.00	0.81
		NO LONGER IN MACON CO		TOTAL RELEASES:		5.29
136638 WILSON, LISA	2023-52983	DY: PERSONAL PROPERTY ZAD	12/31/9999 12:27:36 PM			
		CLERICAL ERROR		G01 ADVL TAX	1,840.00	4.97
		CLERICAL ERROR		F05 ADVL TAX	1,840.00	0.90
		NO LONGER IN MACON		TOTAL RELEASES:		5.87
77959 DAVIS, ROGER MICHEAL	2023-102847	DY: PERSONAL PROPERTY ZAD	12/31/9999 12:30:13 PM			
		CLERICAL ERROR		G01 ADVL TAX	1,765.00	4.77
		CLERICAL ERROR		F03 ADVL TAX	1,765.00	1.22
		BOAT IS NOT REGISTERED ON NC WILDLIFE VESSEL REPORT		TOTAL RELEASES:		5.99
77959 DAVIS, ROGER MICHEAL	2024-102847	DY: PERSONAL PROPERTY ZAD	12/31/9999 12:33:56 PM			
		CLERICAL ERROR		G01 ADVL TAX	1,585.00	4.28
		CLERICAL ERROR		F03 ADVL TAX	1,585.00	1.09
		BOAT IS NOT REGISTERED ON NC WILDLIFE VESSEL REPORT		TOTAL RELEASES:		5.37
139030 GLOVER, AMOS	2024-53060	DY: PERSONAL PROPERTY ZAD	12/31/9999 12:34:52 PM			
		CLERICAL ERROR		G01 ADVL TAX	1,580.00	4.27
		CLERICAL ERROR		F05 ADVL TAX	1,580.00	0.77
		NO LONGER IN MACON CO		TOTAL RELEASES:		5.04

RELEASES REPORT
Macon County

NAME	BILL NUMBER	OPER	DATE/TIME	DISTRICT	VALUE	AMOUNT
139030 GLOVER, AMOS	2023-53060	DY: PERSONAL PROPERTY	ZAD	12/31/9999 12:36:01 PM		
		CLERICAL ERROR		G01 ADVL TAX	1,750.00	4.73
		CLERICAL ERROR		F05 ADVL TAX	1,750.00	0.85
		NO LONGER IN MACON CO		TOTAL RELEASES:		5.58
129552 WADDELL, TIMOTHY	2023-52765	DY: PERSONAL PROPERTY	ZAD	12/31/9999 12:36:57 PM		
		CLERICAL ERROR		G01 ADVL TAX	1,670.00	4.51
		CLERICAL ERROR		F04 ADVL TAX	1,670.00	0.80
		CAN NOT LOCATE CT		TOTAL RELEASES:		5.31
129552 WADDELL, TIMOTHY	2022-52765	DY: PERSONAL PROPERTY	ZAD	12/31/9999 12:37:52 PM		
		CLERICAL ERROR		G01 ADVL TAX	2,074.00	8.30
		CLERICAL ERROR		F04 ADVL TAX	2,074.00	1.49
		TOMOTHY WADDELL		TOTAL RELEASES:		9.79
152390 QUANTA TELECOMMUNICATION SOLUTIONS, LLC	2024-300712	DY: PERSONAL PROPERTY	LAS	12/31/9999 12:44:55 PM		
		CLERICAL ERROR		G01 ADVL TAX	62,693.00	169.27
		CLERICAL ERROR		F01 ADVL TAX	62,693.00	43.89
		closed on 10/31/2023		TOTAL RELEASES:		213.16
139042 TC INVESTMENTS OF FRANKLIN,LLC	2024-73258	DY:ORP:6584781497	LAS	12/31/9999 12:45:42 PM		
		CLERICAL ERROR		L01 FFEFEE	0.00	120.00
		charging two landfill fees instead of one		TOTAL RELEASES:		120.00
15373 SHOPE, JAMES G	2024-54049	DY: PERSONAL PROPERTY	LAS	12/31/9999 12:53:04 PM		
		CLERICAL ERROR		G01 ADVL TAX	14,278.00	38.55
		CLERICAL ERROR		F01 ADVL TAX	14,278.00	9.99
		CLERICAL ERROR		L01 FFEFEE	14,278.00	120.00
		sold mobile home 11/3/2023 per settlement statement		TOTAL RELEASES:		168.54
129552 WADDELL, TIMOTHY	2021-52765	DY: PERSONAL PROPERTY	ZAD	12/31/9999 1:04:57 PM		
		CLERICAL ERROR		G01 ADVL TAX	2,280.00	9.12
		CLERICAL ERROR		F04 ADVL TAX	2,280.00	1.27
		CAN NOT LOCATER CT		TOTAL RELEASES:		10.39
99827 HUNTER, DAVID ALLEN	2023-103699	DY: PERSONAL PROPERTY	ZAD	12/31/9999 1:10:17 PM		
		CLERICAL ERROR		G01 ADVL TAX	2,245.00	6.06
		CLERICAL ERROR		F05 ADVL TAX	2,245.00	1.09
		BOAT CAN NOT BE LOCATED IT IS NOT LISTED WITH NC WILDLIFE VESSEL REPORT		TOTAL RELEASES:		7.15
99827 HUNTER, DAVID ALLEN	2024-103699	DY: PERSONAL PROPERTY	ZAD	12/31/9999 1:10:54 PM		
		CLERICAL ERROR		G01 ADVL TAX	2,245.00	6.06

RELEASES REPORT
Macon County

NAME	BILL NUMBER	OPER	DATE/TIME	DISTRICT	VALUE	AMOUNT
				F05 ADVL TAX	2,245.00	1.09
				TOTAL RELEASES:		7.15
68915 PHILLIPS, SUSAN LISA	2018-83722	DY: PERSONAL PROPERTY	ZAD 12/31/9999 1:13:08 PM			
		CLERICAL ERROR		G01 ADVL TAX	2,145.00	7.48
		CLERICAL ERROR		F01 ADVL TAX	2,145.00	1.17
		PER NC WILDLIFE VESSEL REPORT		TOTAL RELEASES:		8.65
68915 PHILLIPS, SUSAN LISA	2019-83722	DY: PERSONAL PROPERTY	ZAD 12/31/9999 1:14:17 PM			
		CLERICAL ERROR		G01 ADVL TAX	2,100.00	7.87
		CLERICAL ERROR		F01 ADVL TAX	2,100.00	1.14
		PER NC WILDLIFE VESSEL REPORT		TOTAL RELEASES:		9.01
68915 PHILLIPS, SUSAN LISA	2020-83722	DY: PERSONAL PROPERTY	ZAD 12/31/9999 1:16:05 PM			
		CLERICAL ERROR		F01 ADVL TAX	1,911.00	1.04
		CLERICAL ERROR		G01 ADVL TAX	1,911.00	7.16
		PER NC WILDLIFE VESSEL REPORT		TOTAL RELEASES:		8.20
68915 PHILLIPS, SUSAN LISA	2021-83722	DY: PERSONAL PROPERTY	ZAD 12/31/9999 1:16:51 PM			
		CLERICAL ERROR		G01 ADVL TAX	1,911.00	7.64
		CLERICAL ERROR		F01 ADVL TAX	1,911.00	1.04
		PER NC WILDLIFE VESSEL REPORT		TOTAL RELEASES:		8.68
68915 PHILLIPS, SUSAN LISA	2022-83722	DY: PERSONAL PROPERTY	ZAD 12/31/9999 1:18:04 PM			
		CLERICAL ERROR		G01 ADVL TAX	1,911.00	7.64
		CLERICAL ERROR		F01 ADVL TAX	1,911.00	1.34
		PER NC WILDLIFE VESSEL REPORT		TOTAL RELEASES:		8.98
68915 PHILLIPS, SUSAN LISA	2023-83722	DY: PERSONAL PROPERTY	ZAD 12/31/9999 1:19:16 PM			
		CLERICAL ERROR		G01 ADVL TAX	2,375.00	6.41
		CLERICAL ERROR		F01 ADVL TAX	2,375.00	1.24
		PER NC WILDLIFE VESSEL REPORT		TOTAL RELEASES:		7.65
68915 PHILLIPS, SUSAN LISA	2024-83722	DY: PERSONAL PROPERTY	ZAD 12/31/9999 1:20:14 PM			
		CLERICAL ERROR		G01 ADVL TAX	2,335.00	6.30
		CLERICAL ERROR		F01 ADVL TAX	2,335.00	1.63
		PER NC WILDLIFE VESSEL REPORT		TOTAL RELEASES:		7.93
		INACTIVE SINCE 2010				

RELEASES REPORT
Macon County

NAME	BILL NUMBER	OPER	DATE/TIME	DISTRICT	VALUE	AMOUNT
89740 FRANKS, ERNEST WAYNE	2024-103196	DY: PERSONAL PROPERTY	ZAD	12/31/9999 1:21:21 PM		
		CLERICAL ERROR		G01 ADVL TAX	2,135.00	5.76
		CLERICAL ERROR		F01 ADVL TAX	2,135.00	1.49
		HAS NOT OWNED SINCE 2022		TOTAL RELEASES:		7.25
89740 FRANKS, ERNEST WAYNE	2023-103196	DY: PERSONAL PROPERTY	ZAD	12/31/9999 1:22:16 PM		
		CLERICAL ERROR		G01 ADVL TAX	2,295.00	6.20
		CLERICAL ERROR		F01 ADVL TAX	2,295.00	1.20
		HAS NOT OWNED SINCE 2022		TOTAL RELEASES:		7.40
120115 TILLER, DANIEL SHANE	2023-51746	DY: PERSONAL PROPERTY	ZAD	12/31/9999 1:24:03 PM		
		CLERICAL ERROR		G01 ADVL TAX	2,830.00	7.64
		CLERICAL ERROR		F01 ADVL TAX	2,830.00	1.48
		NO RECORD OF OWNERSHIP PER NC WILDLIFE VESSEL REPORT		TOTAL RELEASES:		9.12
150887 DDK PARIVAR, LLC	2024-80531	DY: ORP:6595204190	LAS	12/31/9999 1:25:47 PM		
		CLERICAL ERROR		L01 FFEFEE	0.00	360.00
		LANDFILL FEES WERE INCORRECTLY APPLIED ONTO THE BILL		TOTAL RELEASES:		360.00
120115 TILLER, DANIEL SHANE	2024-51746	DY: PERSONAL PROPERTY	ZAD	12/31/9999 1:26:16 PM		
		CLERICAL ERROR		G01 ADVL TAX	1,905.00	5.14
		CLERICAL ERROR		F01 ADVL TAX	1,905.00	1.33
		NO RECORD OF OWNERSHIP PER NC WILDLIFE VESSEL REPORT		TOTAL RELEASES:		6.47
120115 TILLER, DANIEL SHANE	2021-51746	DY: PERSONAL PROPERTY	ZAD	12/31/9999 1:26:55 PM		
		CLERICAL ERROR		G01 ADVL TAX	2,600.00	10.40
		CLERICAL ERROR		F01 ADVL TAX	2,600.00	1.42
		NO RECORD OF OWNERSHIP PER NC WILDLIFE VESSEL REPORT		TOTAL RELEASES:		11.82
120115 TILLER, DANIEL SHANE	2022-51746	DY: PERSONAL PROPERTY	ZAD	12/31/9999 1:28:50 PM		
		CLERICAL ERROR		G01 ADVL TAX	2,600.00	10.40
		CLERICAL ERROR		F01 ADVL TAX	2,600.00	1.82
		NO RECORD OF OWNERSHIP PER NC WILDLIFE VESSEL REPORT		TOTAL RELEASES:		12.22
120115 TILLER, DANIEL SHANE	2019-51746	DY: PERSONAL PROPERTY	ZAD	12/31/9999 1:29:33 PM		
		CLERICAL ERROR		F01 ADVL TAX	2,800.00	1.53
		CLERICAL ERROR		G01 ADVL TAX	2,800.00	10.49
		NO RECORD OF OWNERSHIP PER NC WILDLIFE VESSEL REPORT		TOTAL RELEASES:		12.02
120115 TILLER, DANIEL SHANE	2020-51746	DY: PERSONAL PROPERTY	ZAD	12/31/9999 1:34:39 PM		
		CLERICAL ERROR		F01 ADVL TAX	2,600.00	1.42

RELEASES REPORT
Macon County

NAME	BILL NUMBER	OPER	DATE/TIME	DISTRICT	VALUE	AMOUNT
				G01 ADVL TAX	2,600.00	9.74
					TOTAL RELEASES:	11.16
120115	2017-51746	ZAD	12/31/9999 1:36:26 PM			
TILLER, DANIEL SHANE						
				G01 ADVL TAX	3,235.00	11.29
				F01 ADVL TAX	3,235.00	1.76
					TOTAL RELEASES:	13.05
120115	2018-51746	ZAD	12/31/9999 1:39:16 PM			
TILLER, DANIEL SHANE						
				G01 ADVL TAX	2,943.00	10.27
				F01 ADVL TAX	2,943.00	1.60
					TOTAL RELEASES:	11.87
120115	2016-51746	ZAD	12/31/9999 1:40:00 PM			
TILLER, DANIEL SHANE						
				G01 ADVL TAX	1,900.00	6.63
				F01 ADVL TAX	1,900.00	0.84
					TOTAL RELEASES:	7.47
120115	2015-51746	ZAD	12/31/9999 1:41:43 PM			
TILLER, DANIEL SHANE						
				G01 ADVL TAX	2,090.00	7.29
				F01 ADVL TAX	2,090.00	0.93
					TOTAL RELEASES:	8.22
38369	2024-65919	LAS	12/31/9999 1:45:48 PM			
STOCKTON, MICHAEL						
				G01 ADVL TAX	91,735.00	247.68
				F02 ADVL TAX	91,735.00	49.35
					TOTAL RELEASES:	297.03
126292	2022-52658	LAS	12/31/9999 1:47:03 PM			
GPSI LEASING						
				G01 ADVL TAX	2,603.00	10.41
				G01 PEN FEE	2,603.00	1.04
				F10 ADVL TAX	2,603.00	0.78
					TOTAL RELEASES:	12.23
126292	2023-52658	LAS	12/31/9999 1:48:04 PM			
GPSI LEASING						
				G01 ADVL TAX	2,603.00	7.03
				G01 PEN FEE	2,603.00	0.70
				F10 ADVL TAX	2,603.00	0.50

RELEASES REPORT
Macon County

NAME	BILL NUMBER	OPER	DATE/TIME	DISTRICT	VALUE	AMOUNT
		CLERICAL ERROR		F10 PEN FEE	2,603.00	0.05
		CLOSED 12/01/2020 PER LATE LISTING FORM		TOTAL RELEASES:		8.28
126292	2024-52658	DY: PERSONAL PROPERTY	LAS	12/31/9999 1:48:41 PM		
GPSI LEASING						
		CLERICAL ERROR		G01 ADVL TAX	2,603.00	7.03
		CLERICAL ERROR		G01 PEN FEE	2,603.00	0.70
		CLERICAL ERROR		F10 ADVL TAX	2,603.00	0.50
		CLERICAL ERROR		F10 PEN FEE	2,603.00	0.05
		CLOSED 12/01/2020 PER LATE LISTING FORM		TOTAL RELEASES:		8.28
157237	2024-35	DY:ORP:6593556906	LAS	12/31/9999 1:49:03 PM		
KIRKLAND, FAY L						
		CLERICAL ERROR		L01 FFEEFEE	0.00	10,680.00
		clerical error		TOTAL RELEASES:		10,680.00
97983	2024-103468	DY: PERSONAL PROPERTY	DLR	12/31/9999 1:59:36 PM		
HALLER, CHRISTOPHER CHARLES						
		CLERICAL ERROR		G01 ADVL TAX	4,880.00	13.18
		CLERICAL ERROR		F01 ADVL TAX	4,880.00	3.42
		CLERICAL ERROR DOES NOT OWN 2002 TRACKER		TOTAL RELEASES:		16.60
148515	2024-68691	DY:ORP:6578651846	LAS	12/31/9999 2:13:27 PM		
ELLIOTT, ROBERT EDWARD						
		CLERICAL ERROR		G01 ADVL TAX	27,990.00	75.57
		CLERICAL ERROR		F08 ADVL TAX	27,990.00	21.83
		NEEDED TO BE IN LAND USE		TOTAL RELEASES:		97.40
137112	2024-72984	DY:ORP:6584592831	LAS	12/31/9999 2:29:20 PM		
MURCH, GARY W. SR						
		CLERICAL ERROR		G01 ADVL TAX	3,000.00	8.10
		CLERICAL ERROR		F01 ADVL TAX	3,000.00	2.10
		ADJUSTED NUMBER OF BATHROOMS - BILLED INCORRECTLY FOR # OF BATHROOMS		TOTAL RELEASES:		10.20
59213	2024-79364	DY:ORP:6594078600	LAS	12/31/9999 2:55:33 PM		
OCHSNER, ARTHUR J III						
		CLERICAL ERROR		L01 FFEEFEE	0.00	360.00
		INCORRECT LANDFILL FEES APPLIED TO THE BILL		TOTAL RELEASES:		360.00
59213	2024-73460	DY:ORP:6584893822	LAS	12/31/9999 2:56:14 PM		
OCHSNER, ARTHUR J III						
		CLERICAL ERROR		L01 FFEEFEE	0.00	360.00
		INCORRECT LANDFILL FEES APPLIED TO THE BILL		TOTAL RELEASES:		360.00
137112	2024-72984	DY:ORP:6584592831	LAS	12/31/9999 3:47:14 PM		
MURCH, GARY W. SR						
		CLERICAL ERROR		F01 ADVL TAX	158,575.00	111.00
		CLERICAL ERROR		G01 ADVL TAX	158,575.00	428.15
		OA DID NOT GET APPLIED TO THE BILL		TOTAL RELEASES:		539.15

RUN DATE: 9/5/2024 11:07 AM

RELEASES REPORT
Macon County

NAME	BILL NUMBER	OPER	DATE/TIME	DISTRICT	VALUE	AMOUNT
98219 BRYANT, SHAWN	2023-103596	DY: PERSONAL PROPERTY LAS	12/31/9999 4:26:37 PM			
		CLERICAL ERROR		G01 ADVL TAX	5,662.00	15.29
		CLERICAL ERROR		F09 ADVL TAX	5,662.00	2.76
		BOAT & TRAILER SOLD IN 2017				
				TOTAL RELEASES:		18.05
155318 SHANSKA USA BUILDING INC	2024-301427	DY: PERSONAL PROPERTY LAS	12/31/9999 4:43:12 PM			
		CLERICAL ERROR		G01 ADVL TAX	24,410.00	65.91
		CLERICAL ERROR		G01 PEN FEE	24,410.00	6.59
		CLERICAL ERROR		F01 ADVL TAX	24,410.00	17.09
		CLERICAL ERROR		F01 PEN FEE	24,410.00	1.71
		NO ASSETS CLOSED 6/1/2023				
				TOTAL RELEASES:		91.30
NET RELEASES PRINTED:	18,462.31					
TOTAL TAXES RELEASED						18,462.31

Macon County Tax Office
5 West Main Street
Franklin, NC 28734



Phone: (828) 349-2149
draby@maconnc.org

TO: MACON COUNTY COMMISSIONERS

FROM: Macon County Tax Collector's Office
 Delena Raby, Tax Collections Supervisor

DATE: August 26, 2024

RE: Settlement Report for 2023 Taxes

Each year the North Carolina General Statute §105-373 dictates that a series of reports be made available to the Macon County Commissioners as a part of the annual settlement for the Tax Collector. The reports that are attached are identified as follows:

1. A summary of the collection practices and remedies employed by the tax collector.
2. A financial report for the most recent fiscal year's taxes that balances all of the amounts charged to the tax collector for collection, including taxes, discoveries, penalties, fees and interest, against the amounts actually collected. (Settlement Report)
3. A sworn statement that states that diligent effort has been made by the Collector to collect any taxes due by reasonable means available for collection procedures.
4. A list of delinquent property taxes from the most recent year owed by taxpayers who do own real property in the jurisdiction. This list is further identified as the same list that was provided as the advertising list for publication in the local paper. **Please note that this list was generated in April 2024, for advertisement purposes, and many of the accounts on this list have been paid in full at this time. This list is on file in the Macon County Tax Collector's Office and will be provided if needed.**
5. A list of delinquent property taxes from the most recent fiscal year owed by taxpayers who do not own real property in the jurisdiction (personal property). **This list is on file in the Macon County Tax Collector's Office and will be provided if needed.**

TAX COLLECTIONS:

The Tax Collections Office staff consists of a Tax Collection Supervisor, and two (2) Deputy Tax Collectors, all of whom are certified through the North Carolina Tax Collectors Association. The collection procedure involves processing payments through checks, cash and electronic payments. Property owners may pay their taxes through the mail, phone-based transactions, on-line, in person and through a secure drop-off box located in front of the annex building. Many accounts are also paid through an electronic process utilized by escrow companies, service companies and by Auto-Agent, which is a software program that mortgage/escrow companies utilize in order to eliminate 98% of refunds.

The collections office staff utilizes diligent effort to collect both the current year taxes and any delinquent taxes. Collection of the current year taxes involves the processes as mentioned above as well as a lockbox service, which is provided through the Wells Fargo bank. This service involves Wells Fargo staff electronically processing payments, with a report provided to the office staff daily, with payments processed and balanced by the collections staff on the same day. In addition, this staff works closely with escrow companies, service companies and Auto-Agent to electronically process payments that are forwarded each year. As always, we process payments on-site, and service many property owners who pay directly through our office.

We have increased the use of enforced collections through this office in recent years. Enforced collections involve processes utilized to collect delinquent taxes. These processes include: garnishment of bank accounts, garnishment of Department of Revenue returns, garnishment of rents or other dollars held by a third party, and as a last resort, the foreclosure process.

As noted above, the foreclosure process is now utilized in this office with successful results. We contract with attorney Victoria Smith, of Ridenour & Goss to handle our foreclosures. The mortgage style foreclosure process is utilized, resulting in a much more efficient process, with attorney involvement throughout. This process is initiated with a demand letter for payment, which regularly results in payment without any other part of the process being utilized. In my opinion, the inclusion of this process is necessary to insure that the tax collections rate is kept at the maximum amount achievable.

Prior to enforced collections being utilized, a property owner is notified by billings in July of each year, second notices which are mailed in January of each year, advertisement in the newspaper which is scheduled for April of each year, and various other communications that are mailed directly from this office. Processes for payment also include pre-payments, which allow a property owner to divide his or her tax bill into twelve (12) "pre-payments" prior to the bill being issued or partial payments after the bills are issued and prior to the delinquency date.

Processing and balancing of fund collection reports are issued to the finance office on a daily, monthly, and yearly basis.

The increase in the use of enforced collections and other collection procedures has resulted in the tax collection rate being over 98% for the past four (4) years, with the 2023 collection rate being 98.57%.

Macon County Tax Office
5 West Main Street
Franklin, NC 28734



Phone: (828) 349-2149
draby@maconnc.org

TO: MACON COUNTY COMMISSIONERS

FROM: Macon County Tax Collector's Office
Delena Raby, Tax Collections Supervisor

DATE: August 26, 2024

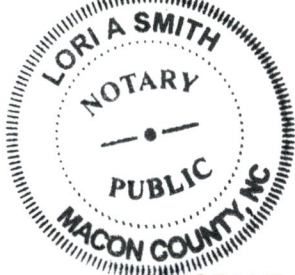
RE: Settlement Report

In accordance with N.C.G.S. §105-373(a) (1), I respectfully submit the following statement:

The following lists are on file and available for review in the Tax Collections Office. (1) a list of the persons owning real property whose taxes for 2023 remain unpaid, along with the principal amount owed by each person (the advertisement list which was developed and made available in April 2024); and (2) a list of the persons not owning real property whose personal property taxes for 2023 remain unpaid, along with the principal amount owed by each person.

In compliance with N.C.G.S. §105-373(a)(3), a report entitled "Macon County Settlement Report-2023" setting forth my full settlement for all taxes in my hands for collection of the 2022 taxes, as well as any delinquent taxes owed will be provided.

Further, I hereby certify that I have made diligent efforts to collect the taxes due from the persons listed in such a manner that is reasonably necessary.



Respectfully submitted,

Delena Raby
Delena Raby, Tax Collections Supervisor

SWORN TO AND SUBSCRIBED BEFORE ME, this 26th day of August, 2024.

Lori A. Smith
Notary Public

My Commission Expires:

September 24, 2025

Settlement for Current Taxes for
Fiscal Year 2023-2024
General Taxes G01*23

Charges:		Running Total
Personal Levy	475,535.42	
Real Levy	32,501,533.38	
Total Original Levy		32,977,068.80
Discovery Levy	7,356.14	
Rollback Levy	33,345.94	
Discovery Total		40,702.08
Corporate Utility Levy		33,017,770.88
		620,843.80
		33,638,614.68

Total **33,638,614.68**

Credits:	
Deposit	(33,436,023.74)
Interest	73,799.88
Releases	(56,194.93)
Refunds	183,458.58
Write Offs	(1,473.60)
Misc Debits/Credits	79,926.09
Uncollected	(482,106.96)
Total	(33,638,614.68)

Total Charges **33,638,614.68**
Total Credits **(33,638,614.68)**
Variance **-**

Collection percentage for 2023 General Taxes: 98.57%

Delena Raby

 Delena Raby
 Tax Collections Supervisor

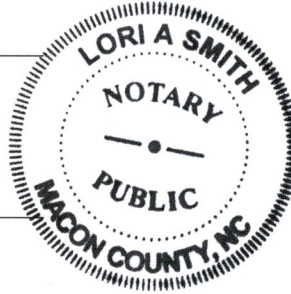
SWORN TO AND SUBSCRIBED BEFORE ME, this 26 day of August, 2024.

Lori A. Smith

 Notary Public

My Commission Expires:

9/24/2025



COLLECTIONS MONTHLY TOTALS REPORT
 Macon County - Year To Date August 2024 Tax Year 2024

**Macon County
 Advalorem Tax Collections Report
 Year To Date August 2024 Tax Year 2024**

TAX YEAR 2024 Month To Date August 2024 Tax Year 2024								
Month to Date	Beginning Balance	Levy Added	Less Releases	Less Administrative Refunds	Less Write Offs	Equals Adjusted Levy	Less Payments	Outstanding Balance
General Tax	32,590,828.32	24,865.96	-577.82	0.00	-15.71	32,615,100.75	-8,784,430.99	23,830,669.76
Fire Districts	5,041,468.09	4,956.52	-123.69	0.00	-2.98	5,046,297.94	-1,213,558.44	3,832,739.50
Landfill User Fee	3,248,565.78	240.00	-360.00	0.00	-0.72	3,248,445.06	-767,169.34	2,481,275.72
TOTAL:	40,880,862.19	30,062.48	-1,061.51	0.00	-19.41	40,909,843.75	-10,765,158.77	30,144,684.98

TAX YEAR 2024 Year To Date August 2024 Tax Year 2024									This Year	Last Year
Year to Date	Beginning Balance	Levy Added	Less Releases	Less Administrative Refunds	Less Write Offs	Equals Adjusted Levy	Less Payments	Outstanding Balance	Collection Percentage Tax Year 2024 As of 8/31/2024	Collection Percentage Tax Year 2023 As of 8/31/2023
General Tax	0.00	33,533,175.08	-552.07	0.00	-1006.47	33,531,616.54	-9,700,946.78	23,830,669.76	28.93%	30.55
Fire Districts	0.00	5,197,219.40	-117.01	0.00	-187.14	5,196,915.25	-1,364,175.75	3,832,739.50	26.25%	27.92
Landfill User Fee	0.00	3,347,760.00	-360.00	0.00	-0.72	3,347,399.28	-866,123.56	2,481,275.72	25.87%	26.53
TOTAL:	0.00	42,078,154.48	-1,029.08	0.00	-1194.33	42,075,931.07	-11,931,246.09	30,144,684.98	28.36%	29.95