



**MACON COUNTY BOARD OF COMMISSIONERS  
OCTOBER 8, 2024  
CONTINUED MEETING MINUTES**

Chairman Shields called the meeting back to order at 6:00 p.m. as recessed from the September 10, 2024, regular meeting. 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:**

- (A) Sheriff Holbrooks announced that Officer Jim Lau's service would be held on Wednesday, October 9, 2024, at 2:00 p.m. at Holly Springs Baptist Church.
- (B) Commissioner Shields announced that a groundbreaking ceremony for the new Franklin High School (FHS) would be held on Friday, October 19, 2024, at 10:00 a.m.
- (C) Ms. Keezer announced that County Manager Derek Roland had tendered his resignation as County Manager at the September 10, 2024, regular meeting and at that time stated tonight would be his last meeting with this board. Ms. Keezer yielded the floor to Mr. Roland who shared remarks about the past eleven years he has served as County Manager. Commissioner Antoine read and presented a resolution honoring Mr. Roland followed by the presentation of an appreciation plaque, and other items by the other Commissioners as they each expressed their thanks to Mr. Roland and his family **[Attachment 1]**.

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

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

**PUBLIC HEARING(S):** None

**PUBLIC COMMENT PERIOD:** **Susan Carpenter** spoke about the Nantahala Library and Community Building and says every Community Center in the County has a Community Room but that the Nantahala Library does not because they do not have access to the Community Center area of the building. She said they need access to have space to host the programs they provide. She wants the Library to have free access. **Jim Tate** said he was here tonight to address County Manager Roland. He said he was here for Derek's first meeting and there was no way he would miss his last. He shared remarks of appreciation toward Mr. Roland. **Ronnie Beale** said he wanted to echo Mr. Tate's comments on Mr. Roland. He said there was no better decision he has ever made as a Commissioner than to hire Derek Roland. He said Mr. Roland's service would not be forgotten. **Heather Johnson** spoke about the floodplain ordinance requesting the Board rethink any changes or revisions to the ordinance. Requested the emergency management plan be published and shared with the public. **Rick Tarleton** spoke about the County's response to Hurricane Helene.



He shared his thanks for the community coming together to meet the needs and indicated that he would like to see a more transparent and robust system for responding. Mr. Tarleton said he did not feel there was a good County response and requested a plan of action that is available to the public. **Sarah Johnson** shared her gratitude to those who responded to Hurricane Helene. She spoke against encouraging more development in the floodplain and any changes to the ordinances. **Betsy Baste** said she agreed with Sarah Johnson had to say. She said to pay attention to the people who put good ordinances in place to protect our land and to protect our people and keep those in place. **Commissioner Shearl** made some remarks about emergency services stating that you have to protect yourself first before you can help others. He said no one asked for this disaster, for the loss of power, the loss of cell service, etc., and said it is unbelievable how Highlands was impacted and the emergency services response was remarkable. Commissioner Shearl said job well done for putting your life on the line to respond and said these people are doing everything they can to save lives and save property. Commissioner Shearl said first responders put their lives on the line every day for people they do not even know and instead of criticizing our emergency services come in with a positive response.

At 6:39 p.m., Commissioner Shields asked for Heather Johnson to be escorted out of the meeting after she disrupted the meeting and displayed disrespect toward Commissioner Shearl. Commissioner Shields asked that Ms. Johnson not be allowed back in for future meetings.

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

- To add Item 12(I) under Consent Agenda, Proclamation recognizing November as National Family Literacy Month, per Ms. Keezer
- To add Item 12(J) under Consent Agenda, Fireworks permit for an event on October 19, 2024, to be held at Flat Mountain Farm located at 1359 Flat Mountain Road in Highlands, per Ms. Keezer
- To add Item 11(C) under New Business, Brief discussion on environmental health fees, per Commissioner Higdon
- To add Item 11(D) under New Business, Revision and approval of the Macon County Pay Scale to include the County Manager classification, per Ms. Keezer

#### **OLD BUSINESS:**

**(A) BRIEF CLOSED SESSION PURSUANT TO NCGS §143-318.11(A)(6) TO DISCUSS QUALIFICATIONS AND CONDITIONS OF EMPLOYMENT OF THE INTERIM COUNTY MANAGER. FOLLOWED BY UPDATE ON INTERIM COUNTY MANAGER** – At 6:49 p.m., Commissioner Higdon made a motion, seconded by Commissioner Antoine, to go into closed session. The vote was unanimous. At 7:11 p.m. Commissioner Young made a motion, seconded by Commissioner Antoine, to return to open session. The vote was unanimous. At 7:12 p.m., Commissioner Shields reconvened the meeting. Attorney Ridenour a motion to appoint Mr. Warren Cabe as the Interim County Manager from November 1, 2024, to June 30, 2025, at a salary of \$154,526.45 and a monthly car allowance of \$500.00. Commissioner Shields made a motion to accept the motion as read by Attorney Ridenour, seconded by Commissioner Antoine. The vote was



unanimous. Mr. Roland shared some comments about Mr. Cabe's performance over the years, thanked him for his service, and wished him the best of luck. Mr. Cabe shared his appreciation to the Board for the vote of confidence and shared his appreciation to Mr. Roland for his leadership and service. Commissioner Shields thanked Mr. Cabe for allowing him to be involved in the team meetings last week during the response to Hurricane Helene. Mr. Cabe said there is always room for us to improve and we are open for the public's feedback for improvement when we need to. He said Emergency Management will continue to do their best to serve the citizens of Macon County.

**(B) FOLLOW UP AND DISCUSSION REGARDING 38 PEEKS CREEK ROAD (OLD PINE GROVE SCHOOL)** – Commissioner Shearl said he had spoken with Robbie Holland and understands the community group has been speaking with and providing updates to Mr. Roland and Commissioner Young. Commissioner Young reminded the Board of the presentation previously given to the Board by the community group and the direction that this Board gave them to pursue 501(C) (3) status and come back to us. He said that Mrs. Holland has been actively pursuing that direction. Mr. Roland said he has had some communication with Mrs. Holland as well due to the upcoming election since the school is a polling place. He said there are some immediate maintenance needs for that building and he is having maintenance look at those and indicated that Mrs. Holland has asked about who is going to be responsible for the ongoing maintenance issues and he believes those are discussions that will need to take place after the election. Commissioner Shearl requested to move this item to the January 2025 agenda and for the group to come back for an update at that meeting.

**(C) FRANKLIN HIGH SCHOOL AND STADIUM PROJECT** – Ms. Carpenter stated that the board has been approving funds for schematic design, design development, construction documents, and bidding as we proceeded through the process. She said we have now borrowed money and received the 62 million dollar grant so it is time to approve the construction phase and project closeout phases for LS3P. Ms. Carpenter stated that the contract also states that once we have a final guaranteed maximum price (GMP) that a reconciliation would be performed based on that final GMP. She provided a handout and requested approval of approve amendments to the contract in the amount of \$4,231,491 which was budgeted and earmarked as part of the loan proceeds and the grant. Commissioner Young made a motion, seconded by Commissioner Antoine to approve the amendments as requested. Commissioner Higdon asked if this action would closeout LS3P. Ms. Carpenter confirmed there should not be any more amendments, but there could be a request next month to add a pass-through item to the contract which would be a procedural item and LS3P would not profit from that. The vote was unanimous.

**(D) HIGHLANDS PRE-K/MIDDLE SCHOOL ADDITION PROJECT** - Lori said the board has been approving the phases as we have moved along and this will include the final phases of construction and project closeout for this project. She said she needs action to approve the amendment to the LS3P contract in the amount of \$112,240 and approve budget amendment #85 which appropriates the funds. Commissioner Young made a motion, seconded by Commissioner Shearl, to approve the items as requested. Commissioner Higdon asked for total for architectural fees. Ms. Carpenter said the total for LS3P for the Highlands Pre-K/Middle School Addition is \$339,255. She said there was a small amount of architectural fees of approximately \$45,901 that was for the renovations of Highlands School that is a separate project. The vote was 4 to 1 with Commissioner Young, Commissioner Shearl,



Commissioner Antoine, and Commissioner Shields voting in favor of the motion, and Commissioner Higdon opposed.

**NEW BUSINESS:**

**(A) UPDATE ON STATE OF EMERGENCY DUE TO HURRICANE HELENE – Mr.**

Cabe gave an update saying Macon County fared well compared to other counties but the damages and effects sustained by these folks is significant. He indicated that Franklin had 10 to 14 inches of rainfall in Highlands while Asheville was at the 14 to 15 inch mark. Mr. Cabe said a lot of our damages were due to 50 mph winds mostly in the Highlands area with most of the flooding in the Franklin area. He reported that 57 structures were damaged while two are uninhabitable, 24 will require extensive repairs, 28 require some repair (tree on roof, etc.), and three sustained minor (tree in yard or damaged mailbox). Mr. Cabe said a dollar figure has not yet been applied to the damages, some folks have not even checked on their properties yet, and some roads are still impassable. He said he expects the damages to increase. Mr. Cabe indicated that Macon County had one loss of life who was a Macon County employee and that we were fortunate there were no other injuries. He shared there were nine water rescues, six adults, and four children housed in hotels or other lodging arrangements. Mr. Cabe said that Downtown Door housed 31 folks for a couple of nights as well. He stated Macon County tends to house folks in hotel rooms first if possible because it is more economically feasible which is already set up to house folks until there are 10 to 12 people who need shelter because if we open shelters the schools are impacted as well as a lot of employees who are pulled from DSS and the Health Department to staff those shelters. Mr. Cabe shared that the burden of operating the shelter will fall on Macon County and our employees as the Red Cross may only send one person to assist. Mr. Cabe indicated that the processes will be reviewed after this event just like every other event. He reported that as of today we still have about 200 power outages in the County, a recovery distribution center that is operating for food and supply distribution and donations, DSS is preparing for a D-SNAP program to come through as well as other programs that will be coming, and that the Unmet Needs Committee pulled local groups and agencies together to identify needs and coordinated response and resource efforts. He thinks this will be a multiyear recovery process.

**(B) CONSIDERATION AND APPROVAL OF WATER AND SEWER LINE SETTLEMENT AND RELEASE AGREEMENT –**

Project Manager Jack Morgan indicated that Macon County paid for a sewer line to be ran down 441 in the mid-80's which ran across several pieces of property along the way. He said Macon County made promises to those property owners that in lieu of the easement they would be provided with a water tap and a sewer tap. Mr. Morgan said most of those had been taken care of a long time ago, but there is a piece of property along Prentiss Bridge Road that has not been taken care of and the new property owners want to put a double-wide mobile home on the property and want the County to hold up their end of the bargain. Mr. Morgan indicated that the sewer line is a high-pressure line and cannot be tapped so the alternative is for the County to pay for a septic system. He said the water line can be tapped and the Town of Franklin has agreed to complete the water tap for approximately \$3,400. Mr. Morgan said he projects the septic system will cost approximately \$15,000 assuming the system can be put where we expect to put it. Commissioner Young asked if there was a statute of limitations on this agreement. Mr. Ridenour said this was the agreement in the deed at the time the property was purchased. Commissioner Young asked about the line that goes down Prentiss Bridge Road. After some discussion about the County's obligation Commissioner Young said he would like to discuss the matter further in a closed session. Commissioner Higdon agreed.



**(C) BRIEF DISCUSSION ON ENVIRONMENTAL HEALTH FEES** – Commissioner Higdon said he presented an idea about Environmental Health fees at the last meeting. He stated that the County has used money in the past to supplement operations and suggested that Environmental Health fees be waived to people who are willing to directly invest in the economy of Macon County - build a home, business, tiny home, etc. Commissioner Higdon indicated that the value of a new home or business has a ripple effect on the economy. He said he has met with the Health Director and her staff and he wants to bring a proposal back next month and sees this as a way to thank those that invest in Macon County. He said his proposal back to the Board will be to waive Environmental Health fees which will cost the County around \$200,000 to \$300,000 per year. Commissioner Higdon indicated that he is also proposing a decrease in or waving some well fees and would also like to wave the Building Inspection fees. He said it is the role of the Board to fund and finance the services of Macon County and the agencies role to administer the services carry them out. Health Director Kathy McGaha said the work load for staff also becomes an issue. Commissioner Higdon asked Ms. McGaha about the status of scanning environmental health records. Ms. McGaha commented about efforts made toward scanning records which would be accessible to the public and said at this point it is in the hands of the County Information Technology's hands as she does not have the knowledge to know what the holdup is. Mr. Roland said we have been looking at software and incorporating more of a marriage between Building Inspections, Environmental Health, and the GIS system. He said we are in the process of a large MUNIS upgrade and hopefully when that project is concluded at the first of the year we will start incorporating upgrades in the software for Building Inspections and Environmental Health.

**(D) REVISION AND APPROVAL OF THE MACON COUNTY PAY SCALE TO INCLUDE THE COUNTY MANAGER CLASSIFICATION** – Ms. Keezer indicated that the County Manager salary and grade is not included in the current pay scale and recommended that it be added. She said she and Finance Director Lori Carpenter had reviewed the pay plan and recommended the position be assigned Grade 52 at a minimum salary of \$139,674.34 and a maximum salary of \$209,511.51. Commissioner Young made a motion, seconded by Commissioner Antoine to approve the salary range and grade as recommended. The vote was unanimous.

**CONSENT AGENDA:** Upon a motion by Commissioner Young, seconded by Commissioner Antoine, the board voted unanimously to approve the consent agenda as presented which includes: (A) Minutes of the September 10, 2024, regular meeting and the September 17, 2024, Continued Session, (B) Budget Amendments #86-98, (C) Approve Scaly Mountain Recreation Agreement FY 24-25, (D) Approve Capital Project Ordinance Amendment for Franklin High School Project, (E) Approve Reimbursement Resolution for Franklin High School Project, (F) Approve Resolution for Operation Green, (G) Tax releases for the month of September 2024 in the amount of \$1,680.46, (H) Monthly ad valorem tax collection report – no action necessary, (I) Proclamation recognizing November as National Family Literacy Month, (J) Fireworks permit for an event on October 19, 2024, to be held at Flat Mountain Farm located at 1359 Flat Mountain Road in Highlands

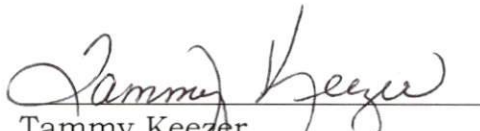
**APPOINTMENTS:** None

**CLOSED SESSION:** At 8:23 p.m. upon a motion by Commissioner Young, seconded by Commissioner Shearl the board voted unanimously to go in to closed session as allowed under NCGS 143-318.11 (a)(3) to consult with an

attorney legal position to be taken on sewer system issues discussed earlier in the meeting. At 8:35 p.m. Commissioner Higdon made a motion, seconded by Commissioner Young to return to open session. The vote was unanimous.

Commissioner Shearl made a motion, seconded by Commissioner Young, to task Mr. Morgan with obtaining three bids for a septic system to be presented at the next meeting. The vote was unanimous.

**ADJOURN:** With no other business, at 8:36 p.m., upon a motion from Commissioner Young, seconded by Commissioner Antoine, the board voted unanimously to adjourn.

  
Tammy Keezer  
Deputy Clerk to the Board

  
Gary Shields  
Board Chair





A RESOLUTION OF RECOGNITION AND APPRECIATION TO DEREK ROLAND  
FOR 11 YEARS OF OUTSTANDING PUBLIC SERVICE

**WHEREAS**, Derek Roland began his career with Macon County in the Planning Department as the Planner on March 16, 2009 serving in that role for three years before leaving to serve the Town of Franklin.

**WHEREAS**, Derek returned to Macon County and served as the County Manager and Clerk to the Board of Commissioners from December 16, 2013 to November 1, 2024; and

**WHEREAS**, during Derek's tenure as County Manager, Macon County's fund balance grew from \$15,260,538 to an unprecedented \$45,106,813; and

**WHEREAS**, despite the dramatic growth in the fund balance, the County continued to maintain the lowest tax rate in the State, enhanced employee pay and benefits, expanded broadband services, renovated the Macon Middle School, renovated the new Nantahala Community Club and Library, approved and obtained funding to construct a new Franklin High School and expand the Highlands School, to name just a few; and

**WHEREAS**, during Derek's tenure, the County conducted several pay studies, implemented an insurance committee to review cost-effective benefits, implemented a Call Center during the COVID-19 pandemic to protect the health and safety of the community, enhanced recruitment and hiring procedures, and provided support to over 600 employees throughout 26 county departments, all under Derek's leadership; and

**WHEREAS**, Derek has attended approximately 130 Board of Commissioner meetings, and endorsed an unmeasurable amount of minutes and documents into the archives for the history of Macon County; and

**WHEREAS**, Derek has delivered these services to the employees, board and citizens of Macon County with the utmost care and concern, calmly listening to employee and citizen complaints, resolving differences, responding quickly to requests for assistance, and improving services, where possible; and

**WHEREAS**, Derek, with his positive attitude and kind and patient demeanor, has earned the respect of his colleagues and staff, the trust of the county residents, and the reputation of a dedicated public servant by the Board of Commissioners and Macon County; and

**WHEREAS**, throughout his career, Derek has led by example, mentored his staff, instilled in them the values of commitment and teamwork, and provided excellent customer service to the employees and citizens; and

**WHEREAS**, Derek will be leaving Macon County on November 1, 2024,

**NOW, THEREFORE, BE IT RESOLVED** that the Macon County Board of Commissioners does hereby commend Derek Roland for his outstanding public service for the past 11 years, and expresses its deepest gratitude and appreciation for his dedication to the community.

Adopted this 8<sup>th</sup> day of October, 2024.

  
Gary Shields, Chairman  
Macon County Board of Commissioners