



**MACON COUNTY BOARD OF COMMISSIONERS
JUNE 11, 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:

- (A) Mr. Roland announced that the annual National Association of Counties (NACo) conference is scheduled for July 15, 2024. He said if anyone is planning to attend the board will need to appoint a voting delegate tonight.

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

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

PUBLIC HEARING(S):

(A) **RECOMMENDED FISCAL YEAR 2024-25 BUDGET-** Chairman Shields opened the public hearing at 6:04 p.m. and requested comments from the citizens who has signed up to speak. **Hazel Norris** said that County Employees, emergency personnel, fire departments, and the school system are the biggest things we have in the county and they are not paid enough. She stated that in a year or two the county will not have any volunteer fireman and the board needs to decide if they are going to start paying them to serve. Ms. Norris said she does not want taxes to go up, but that the board needs to start looking ahead and see what we can offer to county employees and the schools. **Jeff Weller** said he was representing the Town of Highlands and shared that the Town has already started receiving donations and public funding for a new playground which will be part of the current recreation park at an estimated cost of 1.6 million dollars. He said they are trying to bring more families into the park and the Town of Highlands Board of Commissioners has agreed to allocate \$250,000 toward the park and an application for a PARTF grant has also been submitted. Mr. Weller said the Town of Highlands is requesting \$350,000 (20 percent of the total project cost) from Macon County with the remainder coming from private funding. He said they have already raised \$100,000 of the \$700,000 of private funding needed.

At 6:15 p.m. with no one else signed up to speak, Chairman Shields closed the public hearing.

Mr. Roland indicated that if there were any items the board would like to discuss this was the time and the following items were discussed:

- 1. COMMUNITY FUNDING POOL** - Commissioner Higdon said he believes we should not be able to take taxpayers money to fund non-profits. He requested consensus as to whether this item remains in the budget or is removed. Commissioner Shearl said the Town of Franklin and the Town of Highlands have removed their funding and he feels it is appropriate for this board to remove that funding for next year. Commissioner Young said if we follow the guidelines it is a good process, but the board does not follow the process and funds non-profits throughout the year. He proposed that unless it is an emergency we do not fund them throughout the year. Commissioner Shields said before we push this away we should look at what these organizations do for the families of Macon County. Commissioner Antoine said if we can stay disciplined he does not see a problem with continuing the funding. A consensus of 3-2 was reached regarding the Community Funding Pool for Fiscal Year 2025 with Commissioner Shields, Commissioner Antoine, and Commissioner Young opposed to removing the funding and Commissioner Higdon and Commissioner Shearl supporting the removal of the funding.
- 2. COWEE SCHOOL** - Commissioner Higdon said Cowee School was set up for the board to fund for three years, however we are still giving them money and they have requested 20,000 dollars this year. He said the board has no idea what the Cowee School finances are and recommended finding a method of disposal. Commissioner Young said there are a lot of costs associated with the school and he is prepared to offer them the building even if it is for one-dollar. Upon a 5-0 consensus, the board decided that the funding will remain in the Fiscal Year 2025 budget and options for selling or transferring the property will be discussed at a later time.
- 3. SENIOR SERVICE CENTER ASSESSMENT** - Commissioner Higdon said he is opposed to spending 200,000 dollars assessing one agency. Commissioner Shearl agreed. Commissioner Shields said the current facility is a safety hazard. Commissioner Higdon said we have lots of other county agencies that are not ADA compliant as well and there are other needs that need to be addressed. He said when we did the Capital Improvement Plan (CIP) and the needs assessment there were other locations that ranked higher than Senior Services so he cannot support this request. Commissioner Antoine said he spent some time at the Senior Center and the needs they have are very relevant mentioning parking, getting in and out of the parking lot, bathrooms, sewer issues, etc. He said there are a lot of things that are in this year's budget that we will not be able to fund this year and recommends not to put the money into an assessment, but use that money to help facilitate some things for the seniors until we can get a new building for them. Upon a 3-2 consensus with Commissioner Shields, Commissioner Antoine, and Commissioner Young in favor and Commissioner Higdon and Commissioner Shearl opposed, the board decided to move forward and make some ADA improvements that will benefit the facility with an increase of \$200,000 in General Fund Contingency and a decrease of \$200,000 in the Senior Services budget resulting in no change to the final budget. Board members requested more information be gathered about the immediate ADA needs at the Senior Center.
- 4. ENVIRONMENTAL HEALTH** - Commissioner Young said he wanted to discuss the two Environmental Health positions that were put in the budget. He said if Environmental Health is caught up as reported by Health Director Kathy McGaha at the last meeting then maybe those positions are not needed. Commissioner Young requested Plan

Reviewer/Code Enforcement Officer III Joe Allen come forward to talk about the status of inspections and the workload in Code Enforcement. Mr. Allen provided board members with an inspection report for April 2023 and April 2024 and explained the contents of the reports and the changes over the one-year period. Commissioner Young indicated that two of the employees will soon be eligible to retire and suggested we take the funds budgeted for Environmental Health to fund one Code Enforcement Officer instead so that inspections can be kept on track and staff could be trained and working in anticipation of upcoming retirements. He said he feels this is needed and is helping us look ahead. Commissioner Higdon asked if there were any inspections on the list that were not required by the insurance commission. Mr. Allen said all inspections are either required by the Department of Insurance or by County Ordinance. Commissioner Shearl requested that the funds for the Environmental Health positions be eliminated from the budget. He said the health department had also requested a vehicle for each of those positions and asked if those are needed only if new positions are added. Mr. Roland and Ms. Carpenter confirmed that the vehicles were needed for the new positions. Commissioner Shearl then asked for funding to be removed from the budget for the vehicles. Upon a 3-2 consensus with Commissioner Shields, Commissioner Antoine, and Commissioner Young in favor, and Commissioner Higdon and Commissioner Shearl opposed, the board decided to fund one Environmental Health position and hold hiring until at least January 2025 and also wait to purchase the Ford Escape for Environmental Health until the position is filled, and if the position and vehicle are not needed the funding will revert to fund balance. The consensus also included moving the second position and vehicle to Code Enforcement. Ms. Carpenter recommended keeping the budget as is and to approve a budget amendment at the July 9, 2024, regular meeting to move funding for a new Code Enforcement Officer and vehicle to Code Enforcement. Upon a consensus of 4-1 with Commissioner Shields, Commissioner Young, Commissioner Antoine, and Commissioner Higdon in favor, and Commissioner Shearl opposed, the board agreed for Ms. Carpenter to leave the budget ordinance as prepared and to approve a budget amendment at the July 9, 2024, regular meeting to move the funding to the Code Enforcement budget as requested.

5. **COACHING STIPENDS** - Commissioner Young asked about coaching stipends for Macon County Schools. He reported information that he had obtained from other school jurisdictions and said Macon County coaches have not had an increase since 2014. Commissioner Young proposed taking \$31,720 out of the General Fund balance to give an increase to the coaches. Ms. Carpenter suggested waiting until the July meeting and do the budget amendment then. Mr. Roland said this was requested by Macon County Schools but not included in the recommended budget. With a consensus of 5-0 the board decided to decrease the General Fund Contingency by \$31,720 and increase the school funding by the same to be utilized for an increase in coaching stipends. Ms. Carpenter will prepare a budget amendment for approval at the July 9, 2024 regular meeting.
6. **HIGHLANDS PLAYGROUND** - Commissioner Young asked Jeff Weller about the timeframe for the playground project that he had spoken about earlier in the meeting. Mr. Weller said the plan is for completion in the summer of 2025.
7. **CONTRACT MOWING** - Commissioner Shearl asked about expanding contract mowing to the greenway and the process. Mr. Roland

explained that the service would be put out for bid following the normal process.

- 8. SCHOOL TEACHERS** – Commissioner Shearl asked about why Macon County was funding thirty school teacher positions when those are state positions. He said he does not understand why the funds coming from the state are not sufficient to run the school system and the taxpayers are being asked to fund positions while we are surviving off of sales tax with eleven million dollars going to the schools.
- 9. SHERIFF VEHICLES** – Commissioner Shearl asked Sheriff Holbrooks about the new trucks that were requested in the budget. Sheriff Holbrooks indicated these would be to replace current vehicles.
- 10. BOARD OF ELECTIONS** – Commissioner Shearl spoke about the Board of Elections asking for \$50,000 to handle the recent special election and said if the Board of Elections was ADA compliant the election could have been held at their offices. He said he thinks that moving the Board of Elections to a new location will save the taxpayers a lot of money in the future. Commissioner Higdon requested to put this as a top priority and consideration for funding.
- 11. RECREATION PARK POOL** – Commissioner Antoine inquired about adding the pool project to Phase I of the renovation plan for the recreation park. Mr. Roland indicated that Phase I of the project is in fund balance for the board to authorize and if the board wanted to add the pool to that phase then we would need to reject the bids that are currently out for Phase I as well as reject the bids that are currently coming in for Phase II, then prepare and release a new bid document which would include the pool. Commissioner Antoine stated if we added the pool we could move the 4th of July festivities back to the park which would be a revenue source. Mr. Roland said this would be outside the operating budget and require further board action.
- 12. FIRE TAX** – Commissioner Shields recommended raising the fire tax for the Town of Franklin to seven cents. Commissioner Young asked Franklin Fire Captain Ben Ormond to speak and answer questions regarding the municipality population and density data, millage rate, assessed value, call volume, personnel, etc. Commissioner Young said he thought the tax should be lower than some of the rural areas. Members of the Town of Franklin Board of Alderman spoke about the need for the increase and Town Manager Amie Owens said they are only requesting to go back to the seven cents they were at two years ago. Upon a 3-2 consensus with Commissioner Shields, Commissioner Young and Commissioner Antoine in favor, and Commissioner Higdon and Commissioner Shearl opposed, the board agreed to increase the fire tax to seven cents as requested.
- 13. FRANKLIN HIGH SCHOOL** – Commissioner Shields said he is for the school and wants to make sure we keep going forward.

Ms. Carpenter summarized there was only one immediate change to the budget ordinance that had been prepared which would be to decrease the Senior Services budget to \$1,018,878 and the non-departmental line item where contingency is housed would increase to \$1,899,356 but that the recommended general fund budget remains at \$63,704,651. She noted the elimination of one Environmental Health position and a vehicle, adding a Code Enforcement Officer position and a vehicle, adding the athletic supplements which will be brought back to the July meeting and the board can amend the budget to take those

items into consideration at that time. Ms. Carpenter requested that for the record the change to increase the Franklin Fire District to the seven cent tax the total Fire District Special Revenue Fund budget is \$5,595,278 and requested a motion to approve the budget as requested by the County Manager with the changes just stated into the record. Commissioner Young made a motion, seconded by Commissioner Antoine, to approve the budget, budget ordinance, and changes as read in to the record by Ms. Carpenter. The vote was 3-2 with Commissioner Shields, Commissioner Young, and Commissioner Antoine voting in favor, and Commissioner Higdon and Commissioner Shearl opposed.

At 8:19 p.m. Commissioner Shields called a ten minute recess and reconvened the meeting at 8:31 p.m.

PUBLIC COMMENT PERIOD:

Attorney Ridenour announced that most people had signed up to speak about the flood plain ordinance and that we would be scheduling a public hearing next month if speakers wanted to wait to speak at that time.

Kenneth McCaskill introduced himself as the President of the Macon County Farm Bureau Board of Directors and spoke in opposition of changes to the flood plain ordinance. **Betsy Baste** had signed up to speak but was not present when her name was called. **Chuck Grant** spoke about the flood plain ordinance saying that under the exclusion zone one cannot use property that they own. He requested the boards keep that in mind and take personal property rights into consideration because if you cannot use property who owns it because the property owner pays the taxes on it. **Jeff Weller** had signed up to speak about the Highlands playground, but spoke during the public hearing on the budget earlier in the meeting. **Sarah Johnson** spoke in opposition to changes to the flood plain ordinance, soil erosion ordinance, and the watershed ordinance and increases to public safety, Emergency Management, etc. when a disaster occurs. **Bill McLarney** spoke in opposition to any change in the existing flood plain ordinance. He said he was not happy about the transparency of this process as there was supposed to be a committee charged with consulting with experts and that has not occurred. **Danna Fewell** spoke in opposition of changes to the flood plain ordinance. **Windee Willoughby** spoke in opposition to changes to the flood plain ordinance. **Lynn Willoughby** spoke in opposition to changes to the flood plain ordinance requesting the board listen to the experts and not make a decision lightly and quickly. **Olena Romanchuk** spoke in opposition to changes to the flood plain ordinance and said she wants the ordinance to be proactive and to know that her own property and her life are protected. **David Fewell** spoke about the importance of the flood plain for water to move as it should and said that data shows that we are experiencing bigger weather events and allowing fill in the flood plain is dangerous. **Jennifer Hawk** spoke about the flood plain ordinance and said she does not see any mention of marine life, soil experts, or conservationist being consulted as she is concerned about the effects on aquatic life. **Kathy Stillwell** requested to leave flood plain ordinance the way it is and preserve what we have. **Pam Walker** has signed up to speak but was not present when her name was called. **Angela Faye Martin** requested the board cease and desist with changes to the flood plain ordinance and spoke about endangered species that reside in the Little Tennessee River and are on the edge of extension. **Susan Irvin** spoke about the flood plain ordinance and said she wants to reinforce the use of knowledgeable people coming in for consultation before making the recommendations not after. **Heather Johnson** spoke about preserving the current flood plain ordinance. She also spoke about the library board and the behavior display by Diane Caitlin and that she had not seen Commissioner Antoine attend a single meeting.

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

- To add Item 11A under Old Business, Closed Session to discuss property acquisition, per Attorney Ridenour.
- To move Item 12B under New Business, Discussion regarding proposed changes to the Flood Plain Ordinance, to 10A, under Reports and Presentations, per Commissioner Shields.

REPORTS AND PRESENTATIONS:

(A) DISCUSSION REGARDING PROPOSED CHANGES TO THE FLOOD PLAIN ORDINANCE AND SCHEDULE PUBLIC HEARING FOR THE JULY 9, 2024, REGULAR MEETING – Plan Reviewer/Code Enforcement Officer III Joe Allen presented the recommendations from the sub-committee reporting that the changes are middle of the road changes and are not turning developers or property owners loose to do what they want. Attorney Ridenour said those proposed changes are on the website for review and were included in the agenda packet. After some discussion, Commissioner Young made a motion, seconded by Commissioner Shearl, to schedule a public hearing on July 9, 2024 at 6:00 p.m. in the Commissioners Board Room located at 5 West Main Street, Franklin, NC. The vote was unanimous.

OLD BUSINESS:

(A) UPDATE ON HIGHLANDS SCHOOL PROJECT AND APPROVAL OF BUDGET AMENDMENT – Mr. Roland reminded board members that at the meeting on May 29, 2024, we said that Emily Kite with LS3P and representatives from Vannoy Construction would be here to provide updates. He said the action needed in order for work to occur this summer the board needed to authorize the County Manager to enter into a construction contract with Vannoy Construction containing GMP Amendment 1 in the amount of \$243,800 and approval of the accompanying budget amendment. Mr. Roland said this cost includes an environmental assessment in addition to mechanical and electrical costs associated with the boiler installation. Commissioner Shearl made a motion, seconded by Commissioner Young, to authorize the County Manager to enter into a construction contract with Vannoy Construction containing GMP Amendment 1 in the amount of \$243,800 and approval of the accompanying budget amendment. The vote was 4 -1 with Commissioner Shields, Commissioner Young, Commissioner Antoine, and Commissioner Shearl voting in favor and Commissioner Higdon opposed.

(B) CONSIDERATION OF BID AWARD FOR THE FUTURE CARSON CONVENIENCE CENTER 64E TURN LANE – Solid Waste Director Chris Stahl reviewed the bid process and requested approval to award the bid to Parrish Contracting in the amount of \$249,000 and to authorize the County Manager to enter into contract. Commissioner Young made a motion, seconded by Commissioner Antoine to approve the request as presented. The vote was unanimous.

(C) CONSIDERATION AND APPROVAL OF INTER-LOCAL AGREEMENTS WITH MACON COUNTY BOARD OF EDUCATION

1. Macon Middle School track project
2. Franklin High School project
3. Highlands School project
4. Nantahala septic project

Mr. Roland said these agreements were presented by Macon County School Board legal counsel and is standard procedure. Attorney Ridenour confirmed that these are permissible. After some discussion, Attorney Ridenour recommended to table these agreements for further review. Commissioner Higdon made a motion, seconded by Commissioner Shearl, to table the agreements until Attorney Ridenour can review and make corrections. The vote was unanimous.

NEW BUSINESS:

(A) COMMUNITY FUNDING POOL RECOMMENDATIONS – Community Funding Pool Chair Diane Cotton explained the process for the review of requests and the recommendations provided in the handout [Attachment 1]. Commissioner Shields made a motion, seconded by Commissioner Young to approve the funding requests as presented. The vote was unanimous.

(B) DISCUSSION REGARDING PROPOSED CHANGES TO THE FLOOD PLAIN ORDINANCE AND SCHEDULE PUBLIC HEARING FOR THE JULY 9, 2024 REGULAR MEETING – Moved to Reports and Presentations.

CONSENT AGENDA: Upon a motion by Commissioner Higdon, seconded by Commissioner Young, the board voted unanimously to approve the consent agenda as presented which includes: (A) Minutes of the May 14, 2024, regular meeting, the May 21, 2024, continued meeting, the May 28, 2024, continued meeting, and the June 4 2024, continued meeting, (B) Budget Amendments #322-327, (C) Juvenile Crime Prevention Council County Plan and Certification FY 2024-2025, (D) Ordinance Amending the Fiscal Year 2023-24 Budget, (E) Grant Project Ordinance Amendment Housing Administration, (F) Grant Project Ordinance Amendment Duke Energy Weatherization Direct Reimbursement, (G) Grant Project Ordinance Amendment Duke Energy 2017 HHF, (H) Grant Project Ordinance Dogwood Health Grant #2089, (I) Grant Project Ordinance 2024 Urgent Repair URP24, (J) Grant Project Ordinance WAP FY 2025, (K) Capital Project Ordinance Amendment Macon Middle School Renovation, (L) Capital Project Ordinance Amendment Macon Middle School Locker Room, (M)) Capital Project Ordinance Amendment Franklin High School, (N) Capital Project Ordinance Amendment Highlands School, (O) Capital Project Ordinance Amendment Nantahala Library-Community Building, (P) Tax releases for the month of May in the amount of \$583.13, and (Q) Monthly ad valorem tax collection report for which no action is necessary.

APPOINTMENTS:

(A) Highlands Tourism Development Commission (2 seats)

Commissioner Higdon made a motion, seconded by Commissioner Shearl to approve the appointments of Charlotte Muir and Thomas Keenan who will be replacing Jack Austin and John Woods.

CLOSED SESSION: At 9:40 p.m., upon a motion by Commissioner Shearl, seconded by Commissioner Young, the board voted unanimously to go into closed session as allowed under NCGS 143-318.11(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. At 9:55 p.m., upon a motion by Commissioner Higdon, seconded by Commissioner Shearl, the board voted unanimously to come out of closed session and return to open session.

ADJOURN: With no other business, at 10:40 p.m., upon a motion from Commissioner Higdon, seconded by Commissioner Young, the board voted unanimously to adjourn.



Derek Roland
Ex Officio Clerk to the Board



Gary Shields
Board Chair

**Macon County Community Funding Pool
Funding Recommendations
June 2024**

Organization	Requested amount	Recommended amount
Appalachian Animal Rescue Center (AARC)	\$10,000.00	\$4,859.00
Bascom	\$400.00	\$400.00
Counseling Center of Highlands	\$5,000.00	\$2,249.00
Franklin Amateur Swim Team (FAST)	\$6,000.00	\$3,347.00
Gordon Center for Children	\$10,000.00	\$4,319.00
International Friendship Center of Highlands	\$10,000.00	\$4,499.00
KIDS Place	\$10,000.00	\$10,000.00
Macon County Care Network (CareNet)	\$3,500.00	\$3,500.00
Macon Medication Assistance Program	\$10,000.00	\$4,120.00
Magnolia Mission Corporation	\$4,000.00	\$2,431.00
Pawsitive Shelter Volunteers	\$10,000.00	\$4,679.00
Pisgah Legal Services	\$10,000.00	\$5,999.00
REACH	\$10,000.00	\$10,000.00
Read2Me	\$7,000.00	\$5,040.00
Teen Challenge of the Smokies	\$10,000.00	\$4,679.00
Together We Can Do Great Things	\$10,000.00	\$4,879.00
Total	\$125,900.00	\$75,000.00

Recommended for full funding