

Macon County



MACON COUNTY BOARD OF COMMISSIONERS June 8, 2021 AGENDA

1. Call to order and welcome by Chairman Tate
2. Announcements
3. Moment of Silence
4. Pledge of Allegiance
5. Public Hearing(s) **6:00 p.m.** Recommended Fiscal Year 2021-2022 Proposed Budget

Note: Immediately following the close of the public hearing, the board may discuss/consider adoption of the Fiscal Year 2021-2022 budget and budget ordinance

6. Public Comment Period
7. Additions to agenda
8. Adjustments to and approval of the agenda
9. Reports/Presentations
10. Old Business
11. New Business
 - A. Fireworks Permits – Mr. Roland
 - (1) Nantahala Volunteer Fire and Rescue
 - (2) Town of Franklin
 - (3) Highlands Chamber of Commerce
 - B. Resolution for Cowee School Arts and Heritage Center designation as an arts agency and authorization to apply for grants as Macon County's Local Arts Agency – Stacy Guffey
 - C. Approval of NCACC Voting Delegate – Mr. Roland

12. Consent Agenda – Attachment

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 March 9, 2021 regular meeting
- B. Grant Project Ordinance for Weatherization Assistance Program FY 2022
- C. Grant Project Ordinance for Weatherization Assistance Program CARES Act
- D. Change Order #002 for Macon Middle School
- E. Budget Amendments #304 and #305
- F. Ordinance Amending FY 2020-2021 Budget
- G. Monthly ad valorem tax collection report - no action necessary

13. Appointments

14. Closed session (if necessary)

15. Adjourn/Recess

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

MEETING DATE: June 8, 2021

DEPARTMENT/AGENCY: Governing Board

SUBJECT MATTER: Public hearing on the recommended Fiscal Year 2021-22 budget

COMMENTS/RECOMMENDATION:

Attached for your information is a copy of the notice for this hearing.

Immediately following the close of the hearing, the board may discuss and consider adoption of the FY 2021-2022 budget and budget ordinance. Copies of the proposed ordinance will be made available by the Finance Director at the meeting. At the close of the board's June 3rd continued session, the board asked the County Manager to incorporate the increases in expenditures and revenues, as discussed and voted upon by the board, into the final budget.

Attachments Yes No

Agenda Item 5

PUBLIC NOTICE

The recommended Macon County budget for Fiscal Year 2021-2022 was submitted to the Macon County Board of Commissioners on May 25, 2021, and a copy is now available for public inspection at the receptionist desk at the Macon County Courthouse Annex Building in Franklin, N.C. The recommended budget, along with the county manager's budget message, can be accessed on the County's web site at www.maconnc.org.

The Board of Commissioners will hold a public hearing on the recommended budget on June 8, 2021, at 6 p.m. in the Commission Boardroom on the third floor of the Macon County Courthouse, 5 West Main Street, Franklin, NC.

Derek C. Roland, County Manager
Ex Officio Clerk to the Board

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

MEETING DATE: June 8, 2021

DEPARTMENT/AGENCY: Nantahala Volunteer Fire and Rescue

SUBJECT MATTER: Fireworks Permit

COMMENTS/RECOMMENDATION:

The Nantahala Volunteer Fire and Rescue Department has made an annual request for a fireworks display permit in celebration of the July 4th holiday. A copy of the application is attached, and the insurance certificate will be forthcoming.

Attachments X Yes No

Agenda Item 11A (1)

STATE OF NORTH CAROLINA
COUNTY OF MACON

**APPLICATION FOR PERMIT TO EXHIBIT, USE AND/OR DISCHARGE
PYROTECHNICS FOR CONCERT OR PUBLIC EXHIBITION**

1. Display Operator/Applicant's full name and address: William R. Bateman
191 Anderson Road, Andrews, NC 28901
2. Has the Display Operator/Applicant been issued a display operator license under N.C. Gen. Stat. § 58-82A-3 and does the same remain in effect? Yes. Attach copy.
3. Place of proposed public exhibition: Island on Nantahala Lake
4. Will the exhibition be indoor? No. If so, additional rules apply.
5. Will the proposed exhibition be in connection with concerts or public exhibitions, such as fairs, carnivals, shows of all descriptions and/or public celebrations? No. If so, which:

6. Will the proposed exhibition be used for any other purpose? No. If so, what? _____
7. Does the Display Operator/Applicant have insurance in the amount of at least five hundred thousand dollars (\$500,000) or the minimum amount required by the North Carolina Building Code pursuant to N.C. Gen. Stat. § 143-138(e), whichever is greater? Yes
Attach full copy of the same.
8. The names of all Individual(s) who are to exhibit, use, handle or discharge pyrotechnics in connection with the concert or public exhibit: William Bateman, Gary Frazier, Rick Trammel, Paul Earwood
9. Have all persons identified in #8 above completed training and licensing required under Article 82A of Chapter 58 of the North Carolina General Statutes? Yes
10. Will the display operator or proximate audience display operator, as required under Article 82A of Chapter 58 of the North Carolina General Statutes, be present at the concert or public exhibition? Yes
11. Will the display operator or proximate audience display operator, as required under Article 82A of Chapter 58 of the North Carolina General Statutes, personally direct all aspects of exhibiting, using, handling, or discharging the pyrotechnics? Yes
12. Does Display Operator/Applicant have all necessary permissions from the property owner of the lands where the display will take place? Yes

I certify under penalty of perjury that the responses to the above are truthful all respects.

This the 13th day of May, 2021.

William R. Bateman
Display Operator/Applicant

Holder's Full Name: William Ray Bateman

Business Name: Zambelli Fireworks

Government ID By: North Carolina

Government ID Type: Driver License

ID Number: *****7110



License Number: 1583

License Type: 1.3G Pyrotechnic

License Level: Operator

License Status: Valid

Expiration Date: 06/04/2022

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

MEETING DATE: June 8, 2021

DEPARTMENT/AGENCY: Town of Franklin

SUBJECT MATTER: Fireworks Permit

COMMENTS/RECOMMENDATION:

The Town of Franklin has made their annual request for a fireworks display permit. The event is planned for Saturday, July 3, 2021. A copy of the application and the insurance certificate is attached.

Attachments Yes No

Agenda Item 11A (2)

STATE OF NORTH CAROLINA
COUNTY OF MACON

**APPLICATION FOR PERMIT TO EXHIBIT, USE AND/OR DISCHARGE
PYROTECHNICS FOR CONCERT OR PUBLIC EXHIBITION**

1. Display Operator/Applicant's full name and address: Town of Franklin, 95 East Main Street,
Franklin, NC 28734 / Hale Artificier, 545 New Bowers Road, Lexington, NC 27292.
2. Has the Display Operator/Applicant been issued a display operator license under N.C. Gen. Stat. § 58-82A-3 and does the same remain in effect? Yes. Attach copy.
3. Place of proposed public exhibition: 15 First Street, Franklin, NC 28734.
4. Will the exhibition be indoor? No. If so, additional rules apply.
5. Will the proposed exhibition be in connection with concerts or public exhibitions, such as fairs, carnivals, shows of all descriptions and/or public celebrations? No. If so, which:
_____.
6. Will the proposed exhibition be used for any other purpose? Yes. If so, what? Park and watch Independence Day Fireworks display (Saturday, July 3, 2021).
7. Does the Display Operator/Applicant have insurance in the amount of at least five hundred thousand dollars (\$500,000) or the minimum amount required by the North Carolina Building Code pursuant to N.C. Gen. Stat. § 143-138(e), whichever is greater? Yes
Attach full copy of the same.
8. The names of all Individual(s) who are to exhibit, use, handle or discharge pyrotechnics in connection with the concert or public exhibit: Dustin Wade Ledford (See Attachment)
9. Have all persons identified in #8 above completed training and licensing required under Article 82A of Chapter 58 of the North Carolina General Statutes? Yes / 1.3 G Pyrotechnic.
10. Will the display operator or proximate audience display operator, as required under Article 82A of Chapter 58 of the North Carolina General Statutes, be present at the concert or public exhibition? Yes.
11. Will the display operator or proximate audience display operator, as required under Article 82A of Chapter 58 of the North Carolina General Statutes, personally direct all aspects of exhibiting, using, handling, or discharging the pyrotechnics? Yes.
12. Does Display Operator/Applicant have all necessary permissions from the property owner of the lands where the display will take place? Yes.

I certify under penalty of perjury that the responses to the above are truthful all respects.

This the _____ day of _____, 20_____.

Display Operator/Applicant



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/09/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Mountcastle Insurance P.O. Box 1937 Lexington NC 27293-1937		CONTACT NAME: Betty Callicutt PHONE (A/C, No, Ext): (336) 249-4951 E-MAIL ADDRESS: bcallicutt@mountcastleinsurance.com FAX (A/C, No):	
INSURED Hale Artificier, Inc 545 New Bowers Rd. Lexington NC 27292		INSURER(S) AFFORDING COVERAGE INSURER A: National Fire & Marine INSURER B: RWI - Penn. Natl Mutual Cas Ins Co. INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** CL214106006 **REVISION NUMBER:**

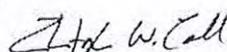
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		Y	72LPS039510	04/28/2021	04/28/2022	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 Electronic Data Liability \$ 100,000
B	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> AUTOS ONLY			AU9 0607811	09/23/2020	09/23/2021	COMBINED SINGLE LIMIT (Ea accident) \$ 5,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ Uninsured motorist BI \$ 30,000
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Date: July 3, 2021
 Rain Date: July 20, 2021

Town of Franklin is included as additional insured with regards to General Liability as required by a written contract.

CERTIFICATE HOLDER Town of Franklin P O Box 1479 Franklin NC 28744	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
04/09/2021

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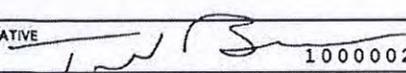
PRODUCER Mountcastle Insurance 307 W Center St Lexington, NC 27293 (336) 249-4951		CONTACT NAME: PHONE (A/C, No, Ext): (877) 234-4420 FAX (A/C, No): (877) 234-4421 E-MAIL: ADDRESS: PRODUCER CUSTOMER ID #															
INSURED Hale Artificier, Inc. 545 New Bowers Rd Lexington, NC 27292-7058 CTL 1273 1656513		<table border="1"> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> <tr> <td>INSURER A: Continental Indemnity Co.</td> <td>28258</td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>		INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Continental Indemnity Co.	28258	INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMPI/OP AGG \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE \$ RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below	Y/N		46-879245-01-08	12/01/2020	12/01/2021	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach Acord 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER Town of Franklin P O Box 1479 Franklin, NC 28744	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE  100002116
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Current Pyrotechnic License Holders

Select License Type of Interest

- | License Type | License Level |
|---|---|
| <input checked="" type="radio"/> Pyrotechnic 1.3G | <input checked="" type="radio"/> Operator |
| <input type="radio"/> Pyrotechnic 1.4G | <input type="radio"/> Assistant |
| <input type="radio"/> Proximate Audience | |

Get List

Get License Holder Information

Pyrotechnic License Number Driver's License Number

1101

Search for License

Holder's Full Name: Dustin Wade Ledford
Business Name: Dustin Ledford
Government ID By: North Carolina
Government ID Type: Driver License
ID Number: *****3964



License Number: 3010
License Type: Proximate Audience
License Level: Operator
License Status: Valid

Expiration Date: 05/27/2023



License Number: 1101
License Type: 1.3G Pyrotechnic
License Level: Operator
License Status: Valid

Expiration Date: 02/11/2022

Get a list of license holders by Last Name or Business/Employer

Last Name

Business/Employer

Search for List

From: Denton, Renita B renita.denton@ncdoj.gov
Subject: RE: [External] Question for you
Date: March 23, 2021 at 9:00 AM
To: jeff hale pyronoid@jaxconline.net

RD

**Notice: Due to the Covid 19 Pandemic, all current licensees whose license would expire between March 2020 and July 2021 were extended until July 31, 2021.

Code officials use the below link to verify the status of license holders. We recommend that you also verify that your license was extended and if not you need to contact us before any shows are held so that we can determine eligibility and correct if needed.

<https://www.ncosfm.gov/licensing-cert/pyrotechnics/pyrotechnic-code-officials-and-license-look>

Thanks

Renita Denton
Pyrotechnic License Administrator
Administrative Specialist II (Engineering Division)

N.C. Department of Insurance
Office of State Fire Marshal
325 N Salisbury Street
Raleigh, NC 27603
919.647.0005 /919.805.8540(cell)

Franklin, NC

Fireworks Site Map



Legend

- 15 1st St
- 300 Feet Radius
- Discharge Site
- FIRE STAGING
- NORTH
- SITE ACCESS

400 ft

HALE ARTIFICIER, INC.

Safety Procedures for Fireworks Displays

NFPA 1123 Codes are to be followed at all times.

1. Firing Procedure:

- A. Operators are to use the Pre-display checklist provided in the display paperwork. AT NO TIME are the materials to be left unattended.
- B. Upon arrival at the site, check site conditions for any hazards that may impede the safety of the display operation.
- C. Insure the site meets all distance requirements.
- D. Confirm that there is adequate ingress and egress for emergency vehicles.
- E. Inspect all racks and equipment as it is coming off the truck. Any equipment that is damaged, or broken is not to be used in the display.
- F. All mortar racks are to be set up and installed prior to any loading of live materials.
- G. Inspect all shells and fireworks devices such as cakes, candles, and ground effects prior to loading, or placing in the firing area. Any materials found to be damaged, or not in proper condition are not to be used in the display.
- H. All materials fuses are to be situated and secured for easy access and removal of safety caps just prior to firing.
- I. (Electric firing) Any e-matching of materials will take place at least 50 feet from the truck holding the fireworks, and at least 100 feet from any public access. Limit the amount of materials in this area to just ONE box at a time.
- J. (Electric firing) Once all materials are set up, no personnel are allowed within the firing area during the continuity testing. If there is a need to check contact points, or adjust materials, the firing control panel must be disabled completely before an operator enters the firing area.
- K. (Manual Firing) Operators will use fusees (flares) for ignition of shell leaders.
- L. Previously installed multiple ignition points are to be placed along Finale racks, or any chain fused sections of the display.

545 NEW BOWERS ROAD, LEXINGTON, NC 27292

WWW.HALEARTFIREWORKS.COM

HALE ARTIFICIER, INC.

2. Termination and Emergency Procedures

- A. If, at any time before, or during the discharge of a Display, there arises a condition that adversely affects the firing or completion of the Display, the operator will IMMEDIATELY halt the display, until such a time that the condition can either be corrected, or deleted from the program.
1. The AHJ will also have the authority to halt the display, should any such condition arise.
 2. Communication between the Operator and the AHJ will be necessary to provide for the continuation of the display.
- B. If there is a weather related concern, the display is to be halted, or postponed, until better conditions prevail. If there is no alternative, or if conditions remain at an unsafe level, then the Operator is to cancel the display, and the Rain Date option will be considered.
1. All mortar racks are to be covered with tarps, plastic or other suitable materials to prevent materials from getting wet. Cakes, and other ground effects can be placed in plastic bags.
 2. Any materials that do become wet shall not be used, and are to be placed into regulation cartons and returned to Hale Artificier, Inc.
- C. If, during the display, an errant shell or malfunction of equipment causes materials to be sent towards or into the spectator area, or out of the intended fallout area, the operator will IMMEDIATELY halt the display.
1. The safety of the spectators is the primary concern, and the operator is to insure that any errant shell trajectories or malfunctions are dealt with as soon as it is safe to do so. Repositioning of the racks, or dropping that part of the display will be done before resuming any firing.
 2. A situation of this nature could cause the rest of the display to be postponed, or cancelled with the communication and cooperation of the AHJ.
 3. Identification of the errant materials and/or equipment is to be documented in the Operators display report.
 4. If there is ANY injury of any nature, to a spectator, or any other person, the display is to be halted, and the assistance of the local EMS, Fire Department, and/or other fire and life safety personnel on duty at the time is to be utilized.

HALE ARTIFICIER, INC.

D. Ingress and Egress routes are to be maintained at all times, and are to remain clear for emergency vehicles and personnel.

1. Should there be any reason to need such access, the Operator shall halt all firing, and suspend the display.

2. The Operator and other display personnel may assist such emergency personnel to control and contain any condition to insure the safety and security of the site.

3. Post Display

A. Once the display has been completed, the Operator will make the determination to break down the display equipment when he/she finds all conditions safe to do so.

1. The operator and assistants should allow at least 15 minutes for a "cool-down" period, once the display is completed.

a. Beginning with the mortars that were fired first, make sure that all shells and materials were discharged.

b. Once all racks and equipment have been cleared, the Operator will approve the break down of the display.

2. Misfired Materials

a. Identify any and all misfired materials.

b. Insure that there are no ignition hazards present before handling. All sparks are to be extinguished. E-matches should be disconnected and shunted, and then may be carefully removed.

c. Carefully remove materials from the discharge area.

d. Place materials into a regulation carton, and transport back to Hale Artificier, Inc.

e. Record misfires in the Operator's display report.

3. Dud Shells

a. Identify any and all dud shells and their location.

b. No unauthorized personnel are to be allowed in those areas.

c. Insure that there are no ignition hazards before handling. If necessary, spray with water to extinguish any sparks or flame.

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

MEETING DATE: June 8, 2021

DEPARTMENT/AGENCY: Highlands Chamber of Commerce

SUBJECT MATTER: Fireworks Permit

COMMENTS/RECOMMENDATION:

The Highlands Chamber of Commerce has made a request for a fireworks display permit in celebration of the July 4th Holiday. A copy of the application and the insurance certificate is attached.

Attachments X Yes No

Agenda Item 11A (3)

STATE OF NORTH CAROLINA
COUNTY OF MACON

APPLICATION FOR PERMIT TO EXHIBIT, USE AND/OR DISCHARGE
PYROTECHNICS FOR CONCERT OR PUBLIC EXHIBITION

1. Display Operator/Applicant's full name and address: M. Chael Heath Bashin
8913 Nightingale Lane, Charlotte, NC 28224.
2. Has the Display Operator/Applicant been issued a display operator license under N.C. Gen. Stat. § 58-82A-3 and does the same remain in effect? yes. Attach copy.
3. Place of proposed public exhibition: Highlands Recreation Park
4. Will the exhibition be indoor? no. If so, additional rules apply.
5. Will the proposed exhibition be in connection with concerts or public exhibitions, such as fairs, carnivals, shows of all descriptions and/or public celebrations? yes. If so, which: There will be concert at different location that evening.
6. Will the proposed exhibition be used for any other purpose? NO. If so, what? _____
7. Does the Display Operator/Applicant have insurance in the amount of at least five hundred thousand dollars (\$500,000) or the minimum amount required by the North Carolina Building Code pursuant to N.C. Gen. Stat. § 143-138(e), whichever is greater? yes. Attach full copy of the same.
8. The names of all Individual(s) who are to exhibit, use, handle or discharge pyrotechnics in connection with the concert or public exhibit: David Lassiter, David
W. W. S.
9. Have all persons identified in #8 above completed training and licensing required under Article 82A of Chapter 58 of the North Carolina General Statutes? yes.
10. Will the display operator or proximate audience display operator, as required under Article 82A of Chapter 58 of the North Carolina General Statutes, be present at the concert or public exhibition? yes.
11. Will the display operator or proximate audience display operator, as required under Article 82A of Chapter 58 of the North Carolina General Statutes, personally direct all aspects of exhibiting, using, handling, or discharging the pyrotechnics? yes.
12. Does Display Operator/Applicant have all necessary permissions from the property owner of the lands where the display will take place? yes.

I certify under penalty of perjury that the responses to the above are truthful all respects.

This the 19 day of May, 2021.

[Signature]
Display Operator (Applicant)
Highlands Chamber of Commerce

Holder's Full Name: Michael Heath Baskin
Business Name: East Coast Pyrotechnics, Inc
Government ID By: North Carolina
Government ID Type: Driver License
ID Number: *****7359



License Number: 1353
License Type: 1.3G Pyrotechnic
License Level: Operator
License Status: Valid
Expiration Date: 03/08/2022



License Number: 3179
License Type: Proximate Audience
License Level: Operator
License Status: Not Renewed
Expiration Date: 10/17/2020

5/19/2021

| PYRO

Holder's Full Name: David S Lassiter
Business Name:
Government ID By: North Carolina
Government ID Type: Driver License
ID Number: *****9357



License Number: 3727
License Type: 1.3G Pyrotechnic
License Level: Assistant
License Status: Valid
Expiration Date: 05/06/2022

Holder's Full Name: David Willis
Business Name: East Coast Pyrotechnics, Inc.
Government ID By: South Carolina
Government ID Type: Driver License
ID Number: *****9488



License Number: 3712
License Type: 1.3G Pyrotechnic
License Level: Assistant
License Status: Valid
Expiration Date: 03/04/2022

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

MEETING DATE: June 8, 2021

DEPARTMENT/AGENCY: Governing Board

SUBJECT MATTER: Resolution of Cowee School Arts and Heritage Center designation as an arts agency and authorization to apply for grants as Macon County's Local Arts Agency

COMMENTS/RECOMMENDATION:

Mr. Guffey is requesting a resolution designating Cowee School Arts and Heritage Center as the Local Arts Agency and as the arts agency to work on behalf of Macon County which would qualify the agency for larger grants (up to \$150,000) and, the ability to apply for grants on behalf of other arts organizations in the county. The county would hold no obligations or responsibilities beyond the designation.

A copy of the proposed resolution will be provided by Mr. Guffey at the meeting.

Attachments _____ Yes No

Agenda Item 11B

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

MEETING DATE: June 8, 2021

DEPARTMENT/AGENCY: Governing Board

SUBJECT MATTER: Approval of NCACC Voting Delegate

COMMENTS/RECOMMENDATION:

The NCACC 114th Annual Conference Business Session will be held in New Hanover County on Saturday, August 14, 2021. Each county will be entitled to one vote on items that come before the membership, including the election of the NCACC Second Vice President. In order to facilitate the voting process, each county is asked to designate one voting delegate (an also may assign one alternate voting delegate) prior to the conference using the attached Designation of Voting Delegate form.

Attachments Yes No

Agenda Item 11C



Designation of Voting Delegate to NCACC Annual Conference

I, _____, hereby certify that I am the duly designated voting delegate for _____ County at the 114th Annual Conference of the North Carolina Association of County Commissioners to be held during the Annual Business Session on August 14, 2021, at 12:45 p.m. in New Hanover County.

Voting Delegate Name: _____

Title: _____

In the event the designated voting delegate is unable to attend, _____ has been selected as _____ County's alternate voting delegate.

Alternate Voting Delegate Name: _____

Title: _____

Article VI, Section 2 of our Constitution provides:

“On all questions, including the election of officers, each county represented shall be entitled to one vote, which shall be the majority expression of the delegates of that county. The vote of any county in good standing may be cast by any one of its county commissioners who is present at the time the vote is taken; provided, if no commissioner be present, such vote may be cast by another county official, elected or appointed, who holds elective office or an appointed position in the county whose vote is being cast and who is formally designated by the board of county commissioners. These provisions shall likewise govern district meetings of the Association. A county in good standing is defined as one which has paid the current year's dues.”

Please return this form to Alisa Cobb via email by **Monday, August 9, 2021** close of business:

Email: alisa.cobb@ncacc.org

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

MEETING DATE: June 8, 2021

DEPARTMENT/AGENCY: N/A

SUBJECT MATTER: Consent Agenda

DEPARTMENT HEAD COMMENTS/RECOMMENDATION:

- A. Minutes of the March 9, 2021 Regular Meeting** – see attached copy (12A).
- B. Grant Project Ordinance for Weatherization Assistance Program FY 2022** – see attached copy (12B). The Finance Director can provide additional information if needed.
- C. Grant Project Ordinance for Weatherization Assistance Program CARES Act** – see attached copy (12C). The Finance Director can provide additional information if needed.
- D. Change Order #002 Macon Middle School** - see attached copy (12D).
- E. Budget Amendments** – Budget Amendments #304 and #305 are attached for your review and approval (12E). The Finance Director can provide additional information if needed.
- F. Ordinance Amending the FY 2020-2021 Budget** – will be provided at a later date. The Finance Director can provide additional information if needed.
- G. Monthly ad valorem Tax Collection Report** – Attachment 12F (this item does not require board approval).

Attachments Yes No

Agenda Item 12A – 12G

MACON COUNTY BOARD OF COMMISSIONERS
MARCH 9, 2021
MINUTES

Chairman Tate called the meeting to order at 6 p.m. All Board Members, County Manager Derek Roland, Deputy Clerk Mike Decker, Finance Director Lori Carpenter and members of the news media were present, as were a number of citizens. Interim County Attorney Kim Carpenter was absent.

ANNOUNCEMENTS: With Gov. Roy Cooper’s Executive Order limiting the number of people at a mass gathering to 10 due to COVID-19 having been lifted, Chairman Tate pointed out that it had been “too long since we’ve had several people in the audience.” Chairman Tate said he had been notified by North Carolina Department of Transportation (NCDOT) officials that a section of U.S. 64 would be closed the last week of March from 9 a.m. to 6 p.m. due to “significant road maintenance near Bridal Veil Falls.” Lori Carpenter updated the board regarding the sale of bonds, held on the Monday prior to the meeting, to finance the Macon Middle School (MMS) renovation project and to refinance some existing county debt. She said there were orders for \$125-million in bonds, or 6.5 times the amount of bonds that were available. She said the county would receive an interest rate of 1.81 percent and the bond sale/refinancing would save the county some \$672,000 over the life of the loan. She told the board, “We rolled the dice and it paid off.”

MOMENT OF SILENCE: Prior to observing a moment of silence, Commissioner Beale remarked on the passing of the mother of Interim County Attorney Kim Carpenter, and also that of Town of Franklin Vice-Mayor Barbara McRae.

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

PUBLIC COMMENT PERIOD: **James Clink**, the chair of the Board of Directors of the Friends of the Greenway, provided the board with what he termed as a “periodic update” on the activities of the non-profit organization. Established some two decades ago, he said the 130+-member group currently has seven board members and is actively seeking others. He said the Friends of the Greenway, known as FROGS, is funded through annual membership fees, coffee shop and gift shop sales, donations, and by two annual local artisan craft fairs. He gave the board an overview of several projects FROGS is working on this year, including: moving forward with new landscaping and a garden at FROG headquarters at 573 East Main Street in Franklin, the addition of educational

signage at the Tasse, Nickajack and Nonah bridges that cross the Little Tennessee River along the greenway, securing the boundary of the Cartoogechaye Creek “Bluff” area and providing educational signage, partnering with the Nikwasi Initiative Heritage Apple project, implementing a Native American hops project and making improvements to the FROGS headquarters. He told the board there is “no shortage of projects for us to get involved in,” and noted there are several areas of the greenway that are in “significant disrepair” and “need some money put at them.” For now, Mr. Clink told the board that the organization is not “sticking our hand out for money.” In closing, he introduced other members of the FROGS board of directors who were in attendance. **Narelle Kirkland** reminded the board that she has been “coming at you for years talking about the greenway,” adding that, “We’ve really got to do something” for the safety of the people who walk the Little Tennessee River Greenway. She handed out copies of a map that indicate nine different points along the greenway that she says need “major work,” and that should cost the county less than \$20,000.

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

- To remove Item 9C, Update regarding thermal well system at Iotla School, from Reports/Presentations, per Mr. Roland.
- To remove Item 11F, Grant agreement with Balsam West to expand broadband services, from New Business, per Mr. Roland.
- To add a new item under Old Business as Item 10A regarding “Sky Runner” broadband connectivity for the LBJ Job Corps Center, per Mr. Roland.
- To add an additional matter to Item 11E under New Business, per Mr. Roland, that would grant Mr. Roland the authority to execute the proposed lease agreement between the county and the Macon County Board of Education with regard to Macon Middle School.

MACON COUNTY VOLUNTEER WEEK: Jennifer Hollifield, the Administrative Officer II with Macon County Senior Services, presented a proposed resolution for the board’s consideration that would recognize “our amazing volunteers” at the Crawford Senior Center. She told the board that during the COVID-19 pandemic, about 50 volunteers remained active alongside the staff at the center, a number that was down by half from the previous year. During 2020, she said those volunteers logged 4,386 hours, a value of some \$119,000 to the county. She then spoke of how the center’s programs were adjusted to meet new demands and concerns, including how Macon County Transit stepped up to help deliver meals, and continues to do so now. She noted that most of the volunteers themselves are 70 to 80 years old, adding they are “tremendous.” Commissioner Beale pointed out that in many cases, the volunteer that dropped off the home-delivered meal was likely “the only person that individual [receiving it] saw all day,” and he made the motion to approve the “Resolution in Recognition of Macon

County Crawford Senior Center Volunteers.” Commissioner Shields seconded the motion, and all favored. A copy of the resolution is attached (Attachment 1) and is hereby made a part of these minutes. Chairman Tate pointed out that all of the volunteers would be given a county pen set as a gesture of the board’s appreciation.

WOMEN’S HISTORY TRAIL PROJECT: Ann Hyder, the chair of the Folk Heritage Association of Macon County, requested that the board revisit an earlier request to help fund a sculpture entitled “Sowing the Seeds of the Future” as part of the Women’s History Trail. She provided the board with a one-page overview of the project, a copy of which is attached (Attachment 2) and is hereby made a part of these minutes. Ms. Hyder also spoke of the late Barbara McRae and her work on the trail project and this sculpture. Noting that the association asked for \$15,000 back in November of 2020, she said the project was now “short about \$19,000.” Commissioner Beale made a motion to fund the \$19,000 in memory of Barbara McRae, with the money to come from the contingency line item, and Commissioner Shields seconded the motion. During discussion, Commissioner Higdon questioned if the association applied for funding through the county’s Community Funding Pool, and when Ms. Hyder responded with a no, he described this situation as a “quandary,” noting that non-profit organizations go through it for county funding, adding that it needs to be “either one or the other.” Commissioner Higdon suggested taking the funding pool money and giving it to this project, prompting Mr. Roland to explain the current status of the funding pool, which already has more in requests than the \$37,500 allocated to it. Commissioner Beale said this project is different and would not have met the funding pool criteria. He reiterated his support for the sculpture project, describing it as a “powerful point in our history” and a “one-time gift.” Commissioner Higdon again stated his belief that the board needs to either have the funding pool or abandon it and fund individual requests. Chairman Tate commented that he could “see Barbara [McRae] sitting out there smiling at us,” and added that the allocation to the project would be “a nice tribute to her.” The board voted 4-1 to approve the motion, with Commissioner Higdon opposing.

SKY RUNNER: Macon County Economic Development Director Tommy Jenkins explained that the LBJ Job Corps Center on Wayah Road struggles to have internet connectivity and has had this problem for years, and currently is paying “a lot for very little service.” He said the center has received permission from the U.S. Department of Labor to get broadband to the center. He said this can be provided by the wireless internet provider Sky Runner, through placing equipment on the top floor of the courthouse and then using two “relays” located on private properties to get the signal to the LBJ Job Corps site. He told the board this will not cost the county anything but space, but he said a letter is needed granting permission to put the equipment in place, and credited Commissioner Shields for his help on the project. Commissioner Shields made a motion to continue with the project, and it was seconded by Commissioner Young. Commissioner Higdon asked if service could be enhanced for county

residents in between the courthouse and the center, and Mr. Jenkins explained that it could. Chairman Tate suggested it would be wise to have Emergency Services Director Warren Cabe and IT Director Andy Muncey weigh in on the project, and Mr. Jenkins said they have already done so. Chairman Tate also questioned if placing the private equipment on the courthouse would set a precedent, and it was noted that Dnet already has a “presence” on top of the building. The board voted unanimously to approve the motion.

COWEE SCHOOL ARTS AND HERITAGE CENTER REQUEST: Stacy Guffey, the director of the Cowee School Arts and Heritage Center, requested funding from the county for a \$10,000 match to repair the outdoor basketball court at the old Cowee School. He told the board that the center provides the only public recreation facility in this part of the county, and there are craters and holes where the school trailers used to sit. He said the preliminary cost estimate to repair the court is in the \$15,000 to \$18,000 range, but there will also need to be barriers to keep vehicle traffic off the court. Commissioner Beale made a motion to match the \$10,000, with the funds to come from contingency, and Commissioner Shields seconded the motion. Commissioner Young questioned how to “bring in more people” to the facility, and Commissioner Higdon asked about the deadline for the matching funds and suggested to the board members, “Let’s work this through the budget.” Following additional discussion, the board voted 4-1 to approve the motion, with Commissioner Higdon opposing. Bob McCollum then addressed the board, and said he wanted to acknowledge the assistance the county has given the center over the past eight years, noting that this continued support is important to non-profit organizations. He explained that “county money” helps us get “grant money,” adding that it must come from the county “to show the doors aren’t going to close,” and that money is “leveraged over and over.” He also announced that he has been chosen to take Barbara McRae’s place on the Nikwasi Initiative.

SUTTON BROADCASTING LEASE AGREEMENT AMENDMENT: Mr. Roland gave a brief history of the arrangement to lease space on the Cowee Bald Communications Site and said there has been a request to amend the agreement to allow a second sublease, this one to Blue Ridge Broadcasting. He said the amended arrangement has been approved by the Federal Communications Commission (FCC) and the U.S. Forest Service and will not impact the county’s emergency management communications. Sean Gibson, the Vice President and General Manager for 104.1 WNCC, said there will be no physical changes on the tower, but the county will receive an additional \$250 per month in revenue. Following some questions from the board, Commissioner Beale made a motion, seconded by Commissioner Shields, to approve the amendment to the “Use of Space on Communications Tower and Use of Associated Transmitter Building Sublease Agreement” as presented, a copy of which is attached (Attachment 3) and is hereby made a part of these minutes.

INSTALLATION OF WELL AND UPGRADE TO WATER FEATURE AT WESLEY'S PARK: Jack Morgan, the county's Director of Planning, Permitting and Development, started by explaining that the county has two water services at Wesley's Park along the Little Tennessee River Greenway. Noting that the water bills from the Town of Franklin are "huge," he proposed that the county furnish its own water by drilling a well on the property. For five months in 2019, Mr. Morgan said the county paid \$15,044.17 for water, and had paid \$13,174.32 for a similar time period in 2018. Drilling a well would allow the county to disconnect from town water, but Mr. Morgan said the yield from the well would need to be determined and that the water would need to be treated. If the yield is not sufficient, he said the county could put in a reservoir. Chairman Tate commented that it "irks me to no extent" regarding the charges for the town water, and Commissioner Beale asked if county officials had spoken with town officials about this. Mr. Morgan responded that he could not do anything without the board's permission. Following further discussion, Mr. Roland and Commissioner Beale agreed to attend the town council's April meeting to address the issue. No action was taken.

CONSTRUCTION BID FOR GREENWAY CONNECTOR: Mr. Morgan informed the board that he had met with representatives of the North Carolina Department of Transportation (NCDOT), Brian Burch and Andy Russell, and had learned that NCDOT was willing to spend up to the initial \$70,000 estimate on the cost of the so-called "greenway connector" that would go under the town bridge on East Main Street in Franklin. However, Mr. Morgan also noted that the anticipated cost was now \$12,000 over the amount NCDOT would provide, and that he was told "anything above \$70,000 is ours." Following discussion, and upon a motion by Commissioner Shields, seconded by Commissioner Beale, the board voted unanimously to approve a budget amendment that would fund the additional amount and to take the \$12,000 from contingency.

CARSON RECYCLING CENTER PROJECT: Solid Waste Director Chris Stahl asked the board to consider a proposal from McGill Associates to perform various engineering tasks related to the relocation of a new recycling convenience center for the Cartoogechaye and Carson communities. The proposed new location would be on property donated to the county by Phil and Sharon Drake late in 2020. Mr. Stahl noted that, as the property was donated, the county did not perform the normal due diligence investigation related to the construction and use of a convenience center at this site. McGill Associates provided Mr. Stahl with a proposed scope of work and cost estimate to perform this for the county, and as the estimate is less than \$50,000, Mr. Stahl said he was also requesting a resolution to exempt the project from certain provisions of the state's general statutes. He asked the board to approve the resolution and to authorize Mr. Roland to execute the contract with McGill Associates. Upon a motion by Commissioner Higdon, seconded by Commissioner Shields, the board voted unanimously to approve a "Resolution Exempting Engineering Services for Macon County Solid Waste Carson Center Project in Macon County, North

Carolina from the Provisions of Article 3D of Chapter of the 143 of the North Carolina General Statutes” and to authorize Mr. Roland to execute the services proposal from McGill Associates. A copy of the resolution is attached (Attachment 4) and is hereby made a part of these minutes.

GEOTECHNICAL SERVICES FOR RECYCLING PROCESSING CENTER: Mr. Stahl made a similar request of the board for a project concerning the replacement and expansion of the Recycling Processing Center (RPC) located on Lakeside Drive in Franklin. Mr. Stahl explained that he had received a proposal from Bunnell Lammons to perform a geotechnical investigation at the RPC, a structure in which several of the support beams have been damaged. He noted that the board has previously authorized funds to construct a replacement building that would give full-span clearance of the working area. He also noted that the building was constructed over an agricultural lagoon, which was filled with castings from a local mica plant. As the new structure will require new footings to carry the increased weight of the building, Mr. Stahl said he felt it was in the best interests of his department to confirm the sub-soil conditions prior to the design and construction of the new facility. He again asked the board for an exemption similar to the convenience center relocation and for Mr. Roland to be authorized to execute the necessary agreement. Upon a motion by Commissioner Higdon, seconded by Commissioner Young, the board voted unanimously to approve a “Resolution Exempting Geotechnical Services for Macon County Solid Waste Recycling Processing Center Project in Macon County, North Carolina from the Provisions of Article 3D of Chapter of the 143 of the North Carolina General Statutes” and to authorize Mr. Roland to execute the services proposal from Bunnell Lammons in the amount of \$11,700. A copy of the resolution is attached (Attachment 5) and is hereby made a part of these minutes.

LEASE OF MACON MIDDLE SCHOOL: Following a brief explanation from Lori Carpenter, and upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve a lease agreement between the county and the Macon County Board of Education with regard to Macon Middle School. Mrs. Carpenter noted this was essentially a formality, as the school board will deed the property to the county as collateral for the loan for the planned improvements to the school, and the county in turn will lease it back to the school board. A copy of the lease is attached (Attachment 6) and is hereby made a part of these minutes. Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted 4-1, with Commissioner Young opposing, to grant Mr. Roland the authority to execute the lease agreement between the county and the Macon County Board of Education with regard to Macon Middle School.

LEASE AGREEMENTS WITH SOUTHWESTERN COMMUNITY COLLEGE: Mr. Roland started the conversation by asking the board to look at a recently completed survey that divides the former National Guard Armory property into

two tracts, with Tract “A” being the armory building itself and Tract “B” as the parking lot behind the building where the new “burn building” for Southwestern Community College (SCC) would be constructed. He noted that bond money from the state will be used to finance the burn building as part of SCC’s Public Safety Training Center complex. He pointed out that the lease agreement for the former armory building is directly between the county and SCC, and he explained in detail the need to separate the two properties. He also pointed out that the planned 25-year term of the lease for the property between the county and SCC had changed as both parties received word from the state that a long-term lease is considered to be 40 years in length, and this will affect both tracts. He said this same information will be presented to the college’s board of trustees on March 23rd. Commissioner Young made a motion to approve both lease agreements as presented, and Commissioner Higdon seconded the motion. During discussion, Commissioner Beale commented that he continues to think “this is the worst financial move this board has made,” and Chairman Tate commented that his remarks were “duly noted.” Commissioner Beale did express his desire to see the burn building constructed and his need to vote in favor of it. Commissioner Shields stated he was in favor of the burn building as well and has some reservations about the National Guard Armory but as Commissioner Beale stated, he is in. Motion passed unanimously.

APPROVAL OF ARCHITECTURAL SERVICES CONTRACT FOR PROPOSED MACON TRANSIT FACILITY EXPANSION: Kim Angel, Director of Macon County Transit stated that at last month’s meeting she asked for a resolution for exemption for the architectural and engineering services on the facility expansion. Ms. Angel stated that on February 25, 2021 she received an email from NC DOT that said the request for exemption was grandfathered in and meets the requirements of the NC General Statute and we were free to move forward under that exemption. She stated that as of today she had received a formal letter from NC DOT congratulating us on the project even though it goes back to fiscal year 2019 and, that we do have pre-award authority so we can go ahead and incur costs as they will be covered under the grant. Ms. Angel referred to a contract from Mr. Ritter (**Attachment 7**) which did qualify under the exemption for \$19,000. She stated that Mr. Morgan will be helping to guide us through the project which consists of 80% federal money, 20% local money which is already in the current budget and, we have to follow the federal public transportation law described in FTA Third Party Guidance therefore, we will be following local, state and federal guidance for the expansion. Ms. Angel indicated that the plans have to be drawn and submitted to NC DOT before the project can be put out to bid. Motion made by Commissioner Beale, seconded by Commissioner Shields for Mr. Roland to sign the contract as presented. Most passed unanimously.

RESOLUTION REGARDING ABANDONMENT OF A PORTION OF OLD DOWDLE MOUNTIAN ROAD: Mr. Roland presented a request from Andy Russell, NC DOT District Engineer which had been submitted by Mark Berry to

abandon 275 feet of road along Dowdle Mountain (State Road 1659). NC DOT investigated the request and found no ill effects to the remaining highway systems and is therefore requesting a resolution to approve the abandonment. Commissioner Higdon made a motion to approve the resolution as presented, seconded by Commissioner Young. Motion passed unanimously.

DISCUSSION REGARDING POSSIBLE CHANGE IN AGENDA FORMAT CONCERNING CLOSED SESSION: Chairman Tate stated that closed sessions are always at the end of the meetings and that probably some of the most important topics are discussed at that time. He asked if the board should consider having these discussions at the beginning of the meetings instead when board members might be a little more prompt and fresh. Commissioner Shields stated he has observed the school board having executive sessions at the beginning of their meetings which leaves the public to just sit which can often be for a very long period of time. Commissioner Beale shared that closed sessions has occurred in the middle of the meeting but he is not aware of them ever being done at the beginning. Chairman Tate requested flexibility in changing the format at meetings in which a controversial topic was going to be discussed, if needed. No action was taken.

CONSENT AGENDA: Upon motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve the consent agenda as presented with the removal of Item C (Refund to Dr. Nathan Brenner for panoramic X-ray machine) as follows: (A) the minutes of the February 2, 2021 continued session, (B) budget amendments #185 for Macon Transit to allocate \$3,093.00 from an insurance settlement for a wrecked vehicle; #186 for the Sheriff's Department to appropriate \$3,600 in donations for lunches for the COVID-19 Call Center staff and officers; #187 for the Soil & Water Department to appropriate \$92,513 of Environmental Enhancement Grant funds to for the Cove Branch Project; #188 for the Board of Elections to appropriate \$36,335 of 2020 Election Security Grants HAVA funds to improve the administration of federal elections, and #189 for the Housing Department to realign \$117,444 in their budget to various other lines in their budget; (C) Refund to Dr. Nathan Brenner for panoramic X-ray machine – **REMOVED**; (D) Tax Releases for the month of February in the amount of \$858.15; and (E) Monthly ad valorem tax collection report – no action necessary. In discussion, Commissioner Young requested to read aloud a portion of the purchase agreement for Item C which indicated no refund of monies previously paid would be given after removal from the premises. He stated he was concerned about the precedent being set due to the contract being signed and the commit to tax payers when selling assets and why he voted against the refund earlier. Commissioner Higdon stated this was also his logic when he voted against the refund as well. Commissioner Beale stated he can attest to the general practice of the county not giving refunds when assets are purchased. He asked if Commissioner Young and Higdon would agree to give half of the money back based on the contributions that Dr. Brenner has made to this community. Commissioner Higdon indicated he sits on the Board

of Health with Dr. Brenner and knows the contributions he makes and still could not support the request because we can't vote on emotion. Commissioner Shields said we should look at the wording of the contract which he had not heard until Commissioner Young just read it and that the wording could not be argued with. Chairman Tate said he had personally spoken with Dr. Brenner and heard him plead his case and that he was in favor of granting the refund. Upon final vote of 3-2 with Commissioners Beale, Shields and Tate in favor of the refund and Commissioners Young and Higdon opposed, the refund was approved.

APPOINTMENTS:

- (A) Board of Equalization and Review (5 seats) - Commissioner Beale made a motion, seconded by Commissioner Shields to appoint Dwight Vinson, Donald Holland, Gary Drake, Kristine Flaig, Richard Lightner for the period of one year. Motion passed unanimously.
- (B) Planning board (2 seats) - Commissioner Young, seconded by Commissioner Beale to appoint Glenn Hedden and Carroll Poindexter for the period of three years. Motion passed unanimously.

CLOSED SESSION: At 8:00 p.m., upon motion by Commissioner Higdon, seconded by Commissioner Young the board voted unanimously to go into closed session as allowed under NCGS 143-318.11(a)(3) for attorney-client privilege and 143-318.11(a)(6) to consider the qualifications of a public officer or employee. At 8:48 p.m. upon a motion by Commissioner Higdon, seconded by Commissioner Shields the board voted unanimously to come out of closed session and return to open session.

CONTRACT WITH RIDENOUR & GOSS: Mr. Roland announced that a contract had been received to move forward with the selection of a full-time county attorney. He stated that an interview process had been completed with many reputable legal professionals and law firms and that an appointment and fee agreement from the firm of Ridenour and Goss to appoint Eric Ridenour. Mr. Roland stated that by review of the fee agreement, the inclusion of "not to exceed amount" would need to be added. Lori Carpenter recommended wording to be added to the first section "whereas, billing over a twelve-month period shall not exceed \$120,000". Commissioner Young made a motion, seconded by Commissioner Higdon to approve Mr. Ridenour as the new attorney and to make the recommended change in wording to the contract. Motion passed unanimously.

ADJOURN: With no further business, and at 8:51 p.m. upon a motion made by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to adjourn the meeting.

**MACON COUNTY, NORTH CAROLINA
GRANT PROJECT ORDINANCE
WEATHERIZATION ASSISTANCE PROGRAM FY 2022**

BE IT ORDAINED by the Macon County Board of Commissioners, Macon County, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

SECTION 1. The project authorized is a Weatherization Assistance Program and a Heating and Air Repair and Replacement Program administered through the NC Department of Environmental Quality.

SECTION 2. The officers of this unit are hereby directed to proceed with the grant project within the requirements of N.C.G.S. 159-26 and the budget contained herein.

SECTION 3. The following amounts are appropriated for the project:

Weatherization Services DOE	\$184,937
Weatherization Services DHHS	98,887
HARRP Services DHHS	<u>33,402</u>
Total	\$317,226

SECTION 4. The following revenues are anticipated to be available to complete the project:

DOE WX Funds	\$184,937
DHHS LIHEAP WX Funds	98,887
DHHS HARRP Funds	<u>33,402</u>
Total	\$317,226

SECTION 5. The Finance Director is hereby directed to maintain within the grant project fund sufficient specific detailed accounting records to satisfy the requirements of N.C.G.S. 159-26.

SECTION 6. Copies of this grant project ordinance shall be furnished to the County Manager and the Finance Director for direction in carrying out this project.

ADOPTED this 8th day of June 2021.

James P. Tate, Chairman
Board of Commissioners

**MACON COUNTY, NORTH CAROLINA
GRANT PROJECT ORDINANCE
WEATHERIZATION ASSISTANCE PROGRAM CARES ACT
CONTRACT CW19463**

BE IT ORDAINED by the Macon County Board of Commissioners, Macon County, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

SECTION 1. The project authorized is Allowable COVID-19 Related Expenses and a Heating and Air Repair and Replacement Program administered through the NC Department of Environmental Quality.

SECTION 2. The officers of this unit are hereby directed to proceed with the grant project within the requirements of N.C.G.S. 159-26 and the budget contained herein.

SECTION 3. The following amounts are appropriated for the project:

LIHEAP HARRP Services	\$26,000
LIHEAP COVID Related Expenses	<u>2,271</u>
Total	\$28,271

SECTION 4. The following revenues are anticipated to be available to complete the project:

DHHS HARRP Funds	\$28,271
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SECTION 5. The Finance Director is hereby directed to maintain within the grant project fund sufficient specific detailed accounting records to satisfy the requirements of N.C.G.S. 159-26.

SECTION 6. Copies of this grant project ordinance shall be furnished to the County Manager and the Finance Director for direction in carrying out this project.

ADOPTED this 8th day of June 2021.

James P. Tate, Chairman
Board of Commissioners

COLLECTIONS MONTHLY TOTALS REPORT
 Macon County - Year To Date May 2021 Tax Year 2020

Macon County
Advalorem Tax Collections Report
Year To Date May 2021 Tax Year 2020

TAX YEAR 2020 Month To Date May 2021 Tax Year 2020

Month to Date	Beginning Balance	Levy Added	Less Releases	Less Administrative Refunds	Less Write Offs	Equals Adjusted Levy	Less Payments	Outstanding Balance
General Tax	550,471.77	16,772.37	-1,283.72	0.00	-6.25	565,954.17	-81,498.20	484,455.97
Fire Districts	86,469.38	3,031.81	-9.99	0.00	-0.98	89,490.22	-12,655.66	76,834.56
Landfill User Fee	101,169.17	488.00	-216.00	0.00	-0.01	101,441.16	-10,673.07	90,768.09
TOTAL:	738,110.32	20,292.18	-1,509.71	0.00	-7.24	756,885.55	-104,826.93	652,058.62

TAX YEAR 2020 Year To Date May 2021 Tax Year 2020

Year to Date	Beginning Balance	Levy Added	Less Releases	Less Administrative Refunds	Less Write Offs	Equals Adjusted Levy	Less Payments	Outstanding Balance	This Year Collection Percentage Tax Year 2020 As of 5/31/2021	Last Year Collection Percentage Tax Year 2019 As of 5/31/2020
General Tax	0.00	29,269,990.68	-17,184.25	0.00	-1212.05	29,251,594.38	-28,767,138.41	484,455.97	98.34%	98.06
Fire Districts	0.00	4,035,978.97	-2,174.86	0.00	-183.97	4,033,620.14	-3,956,785.58	76,834.56	98.10%	97.79
Landfill User Fee	0.00	2,921,119.00	-3,348.00	0.00	-21.96	2,917,749.04	-2,826,980.95	90,768.09	96.89%	96.19
TOTAL:	0.00	36,227,088.65	-22,707.11	0.00	-1417.98	36,202,963.56	-35,550,904.94	652,058.62	98.20%	97.89