

**MACON COUNTY BOARD OF COMMISSIONERS**  
**October 8, 2019**  
**MINUTES**

Chairman Tate called the meeting to order at 6:00 p.m. and welcomed those in attendance. All Board Members, the County Manager, Deputy Clerk, Finance Director, County Attorney, members of the news media and interested citizens were present.

**ANNOUNCEMENTS:** Commissioner Beale reminded those in attendance that the Veterans Stand Down would take place on October 10, 2019 at the Robert C. Carpenter Building. Commissioner Shields asked for everyone to remember the family of Mr. Lee Whitaker, a Macon County Veteran, and long-time leader in the Macon County School System, who recently passed away. Chairman Tate personally thanked the Planning Board for making the effort to hold their monthly meetings within our local communities.

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

**PUBLIC HEARING:**

**PUBLIC COMMENT PERIOD:** **Diane Dodge** requested that the Board of Commissioners reconsider their decision to not require camouflaging on the telecommunication tower which was recently approved at 575 CR Cabe Road. Chairman Tate reiterated the fact that he did not vote for camouflaging because he has never seen a good camouflaging product. **Narelle Kirkland** again requested for the Board of Commissioners to consider making repairs to the Greenway. Ms. Kirkland then gave the board a brief presentation with her suggestions as to how the traffic congestion problem at the Wells Grove Rd. and Clarks Chapel Rd. intersection could be addressed. Commissioner Beale informed her that the North Carolina Department of Transportation has been made aware of this issue and is currently looking for solutions. **Paul Maynard** provided the Board of Commissioners with an update on the Freedom House Outreach Program. The goal of this program, according to Maynard, is to give individuals freedom from drug addiction. Mr. Maynard has been running the Freedom Addiction Ministry Program for approximately six months. The Freedom House is located off of Love Street, and currently has five residents

who are recovering from addiction. Mr. Maynard stated that he realized there would be some resistance to this program, but because of it, the community would be a safer place. Commissioner Beale informed Mr. Maynard that “No Wrong Door” located on Thomas Heights would be having Peer to Peer Counseling Sessions every Saturday in October at 9:00 am and invited him to attend. **Dr. San Ho Choi** thanked the board for their support of the libraries in Macon County and shared a personal experience with the board of how libraries had influenced him during childhood.

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

- To add a second appointment to the Macon County Planning Board under Agenda Item # 13 Appointments.
- To add Vaya Funding Resolution as Agenda Item #9B under Reports and Presentations

**REPORTS AND PRESENTATIONS:**

**9A. Region A Broadband Update:** Sarah Thompson, Executive Director of the Southwestern Commission provided the board with an update on their broadband expansion efforts in Western North Carolina. Ms. Thompson thanked the Board of Commissioners for their “taking matters into their own hands” referring to the September 10, 2019 vote to grant broadband funding to the Town of Highlands and “Little T” Broadband, if legally permissible. Ms. Thompson went on to say that the Southwestern Commission views broadband availability as critical infrastructure in Region A and as a consequence has made it a top priority.

Region A has broken their broadband efforts down into two phases, phase I which is now complete, consisted of demand aggregation for Region A which highlighted unserved and underserved areas. As part of phase I the Southwestern Commission also encouraged counties in the region to create Broadband Committees to further study unserved and underserved areas within their communities. Phase II, according to Ms. Thompson, will consist of identifying all vertical assets in the region. Aside from identifying these vertical assets, information including the ability of each tower to provide co-location will be provided as well. Essentially, both phase I and phase II efforts have been geared toward making it easier for providers to enhance or expand broadband coverage within the region.

The Southwestern Commission, according to Ms. Thompson, has made themselves available to assist providers with grant writing, should they decide to pursue funding opportunities from the State. While some progress has been

made, certain obstacles still stand in the way of broadband expansion. Today continues to be more expensive to run fiber in the mountains due to the topography and there is less potential for return on investment due to the less dense population of Region A when compared to more urban areas. In closing Ms. Thompson reminded the board that a Broadband Workshop would be held at Southwestern Community College on October 25<sup>th</sup>.

**9B. Consideration of VAYA Resolution:** Shelly Foreman, Regional Representative with VAYA Health, requested for the Board of Commissioners to consider approving a resolution titled "*Resolution in Support of funding to meet the Mental Health Intellectual/Developmental Disabilities, and Substance Use Disorder Service Needs of the Citizens of Macon County.*" Ms. Foreman stated that over the last four years VAYA alone has had \$48 Million dollars cut from its indigent fund by the General Assembly and another \$9M has been proposed in the coming budget. Ms. Foreman reminded the board that 100% of VAYA indigent care funding goes back into the community. Ms. Foreman stated the cumulative effect of these funding reductions will have a significant impact on what services will be available to those in our community without insurance. Ms. Foreman went on to say that there has been some "good movement" recently, with respect to attention being brought to the funding reductions, as the VAYA Commissioner Advisory Board and all six counties in the west, with the exception of Macon, have passed resolutions requesting the state to reconsider funding reductions as well as funding formulas used for mental health. Representative Corbin, as well as the House Appropriations Chair Josh Dobson have been made aware of the negative impact these funding reductions could have on the far west according to Ms. Foreman.

Commissioner Beale stated that he appreciated the candor of Representative Josh Dobson, citing a recent Macon County News Article where Mr. Dobson was quoted saying; "they had just missed it" referring to the proposed funding reductions in Mental Health. Commissioner Beale went on to say that recent changes to the mental health funding formula will devastate Macon County as well as all counties in the far west. Commissioner Beale made the motion to approve the resolution titled "*Resolution in Support of funding to meet the Mental Health Intellectual/Developmental Disabilities, and Substance Use Disorder Service Needs of the Citizens of Macon County.*" Commissioner Shields seconded this motion. Commissioner Tate stated that he had discussed this resolution with Representative Corbin last week and while he stands behind the gist of this resolution and restoring mental health funding, he does take issue with the way the resolution was written, and thus could not support it at this time. The motion to approve the resolution failed 2-3 with commissioners Tate, Gillespie and Higdon opposing.

## **OLD BUSINESS**

**10A. Greenway Connector Project:** Jack Morgan informed the Board of Commissioners that the North Carolina Department of Transportation had offered to provide 70% of the funding required for the Greenway Connection Project. The project cost is estimated to be \$70,000 as of September 10, 2019. The Greenway Connection Project will join the northern and southern portions of the Greenway by placing a 10 ft. wide connection under the Town Bridge in East Franklin, as shown on the map provided to the board by Mr. Morgan. Both the cost estimate and map are attached (Attachments 1&2) and hereby made a part of these minutes. County Manager Roland informed the board that all the NCDOT was requesting at this time was for the county to affirm their desire to be the lead agency on this project. Following this affirmation, Mr. Morgan would be able to work with the NCDOT to draft an agreement which will be brought back before the board at a later date. Commissioner Gillespie made the motion to designate Macon County as the lead agency on the Greenway Connector Project, and the motion was seconded by Commissioner Higdon. Motion passed unanimously.

**10B. Update on Macon Middle School RFQ for Architectural Services:** Todd Gibbs, on behalf of the Macon County Central Office, informed the Board that the seven member selection committee (comprised of Terry Bell, Todd Gibbs, Fred Goldsmith, Tracy Tallent, Jack Morgan, Gary Shields and Scott Maslin) established to evaluate responses to the Request for Qualifications issued for architectural services at the Macon Middle School Renovation Project would like to recommend SGA Narmour Wright as the Chief Architect for the MMS renovation project. Five responses to the Request for Qualifications were submitted and evaluated by the selection committee. Of those five responses three were selected for interview. Following the interviews, SGA Narmour Wright was felt by the committee to be the most qualified firm. Commissioner Shields said he felt the committee had taken a very clear minded approach in making this selection. Commissioner Beale who had discussed the proposal with Mr. Morgan and Commissioner Shields felt that the recommended firm was very experienced in this line of work. Commissioner Shields made a motion to approve the selection committee's recommendation of SGA Narmour Wright to provide architectural services for the Macon Middle School Renovation Project and authorize county representatives to begin contract negotiations with this firm contingent upon approval of the same by the Macon County School Board. The Motion was seconded by Commissioner Beale and passed unanimously.

**10C. Revision to SCC Paving Agreement:** County Manager Roland informed the board that the Southwestern Community College Paving Agreement which was previously approved by the Board of Commissioners listed the incorrect

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Chairperson as the signatory for SCC. This comes following a change in the Chairmanship of the Southwestern Community College Board of Trustees from Terry Bell to Lambert G. Wilson. The manager stated that the signatory for SCC and the date of the agreement were the only changes made. A motion was made to approve the revised agreement by Commissioner Gillespie, seconded by Commissioner Shields. The motion passed unanimously. A copy of the agreement is attached (Attachment 3) and is hereby made a part of these minutes.

## **NEW BUSINESS**

**11A. Mainspring Request for temporary use of County Property:** Jason Meader of Mainspring Conservation and Trust requested permission to use county owned property on Siler Road to access the adjoining property which Mainspring recently purchased, formerly known as the Dills Tract, as they are wishing to make property improvements. The County Manager informed the board that in speaking with the county attorney this permission could be granted in the form of an agreement rather than a temporary easement. Commissioner Beale requested that Mainspring proceed with caution when using heavy equipment to improve their property, paying particular attention to the sewer line and the sewer taps which were installed as part of the Cartoogechaye Sewer Line Project. Mr. Meader informed the board that the sewer line had been previously identified in a survey and they were very aware of its location. Commissioner Gillespie asked what the anticipated duration of the project would be to which Mr. Meader responded two-three weeks assuming good weather conditions. Commissioner Gillespie made a motion to authorize the County Attorney to proceed with developing an agreement and upon completion, further authorizing the County Manager to execute the agreement to give Mainspring Conservation and Trust permission for temporary use of County Property to access the adjoining parcel for the purpose of making property improvements. The motion was seconded by Commissioner Shields and passed unanimously.

**11B. Fire District Change Request:** Warren Cabe provided the Board with a map illustrating a request from the owners of four parcels of property on Sunrise Ridge Road, located off of Sanders road to change their fire department response area from West Macon Fire and Rescue to Clarks Chapel Fire and Rescue. Both the map and letter illustrating this request have been attached (Attachments 4&5) and are hereby made a part of these minutes. Mr. Cabe stated that both Fire Departments were in agreement with this change as these properties were more easily accessible by Clarks Chapel Fire and Rescue. This issue has come to light following development in this area which occurred after the service maps had been drawn and adopted. Mr. Cabe went on to say that the protection class would remain the same for these properties, but the

change to the Clarks Chapel Fire District would result in a slightly higher service fee to the properties. The property owners however, were aware of this service fee increase and were willing to accept it. Mr. Cabe stated that he was requesting approval of the map change so it could then be sent to the Office of the State Fire Marshall for approval. Commissioner Higdon made a motion to approve the map change as presented. Commissioner Gillespie seconded this motion and the motion passed unanimously.

**11C. Review of Fire Department Contracts:** Warren Cabe informed the Board that Macon County's current contracts with the Volunteer Fire Departments which went into place in 2014 were in need of review. In the coming months, Macon County Emergency Management will be reviewing these contracts, looking for needed changes. Mr. Cabe is in hopes the revised contracts will be ready for review by the Board of Commissioners in January. The changes according to Mr. Cabe, will address things such as verbiage changes, changes to personnel standards which are no longer valid following changes at the state level, and potentially offering some type of benefits to volunteer fireman. No action was taken.

**11D. Nantahala Health Foundation Grant Request:** Permission was requested by Warren Cabe for Macon County Emergency Management to apply to the Nantahala Health Foundation for grant funding. The Nantahala Health Foundation is the funding arm of the Dogwood Trust which was established following the purchase of Mission Health by HCA. The grant request would be for \$100,150 and would not require a funding match. If received, funding would be used to update laptop computers in trucks, purchase an additional cardiac monitor, update reporting software and update pediatric assessment tools. Mr. Cabe stated that Macon County Emergency Management has been very successful in grant requests such as this in the past. Commissioner Higdon made a motion to approve the grant request for Macon County Emergency Management to the Nantahala Health Foundation. Motion was seconded by Commissioner Shields and passed unanimously.

**11E. Appointment of new Tax Administrator:** Richard Lightner informed the Board that he would be retiring on December 16, 2019 after 35 years of leading the Macon County Tax Department. Mr. Lightner recommended that Abby Braswell be appointed as tax administrator, effective upon his retirement to fill the remainder of his term which expires on July 1, 2021. Mrs. Braswell has served 15 years in the Macon County Tax Office and has obtained certifications as both an appraiser and tax administrator. County Manager Roland complimented Mr. Lightner for the excellent job he has done in leading the Macon County Tax Office for the past 35 years, including the succession planning that has went into recommending his successor. Commissioner Beale made a motion to appoint Abby Braswell as tax administrator, effective upon

Richard Lightner's retirement on December 16, 2019 for the remainder of his current term which expires on July 1, 2021. The motion was seconded by Commissioner Shields. Mrs. Braswell then approached the board to express her gratitude to Mr. Lightner for providing her with the tools necessary to succeed as a tax administrator. Mrs. Braswell stated that she has an excellent team in the Macon County Tax Office and will gladly accept this position. The motion made by Commissioner Beale and seconded by Commissioner Shields and passed unanimously.

**11F. 2019 Tax Software Update:** Richard Lightner informed the Board that the Tax Department's operating software was in need of replacement and that he was requesting authority to move forward with a request for proposals for a replacement system. According to Mr. Lightner, the current software was developed in the late 1970's in Orange County North Carolina and purchased by the Macon County Tax Department in 1982. Today, only four counties in North Carolina remain on the operating software including Macon and Jackson, as it is outdated and becoming increasingly harder and more expensive to maintain. Last year alone, approximately \$63,000 was spent in maintenance costs on the aging tax software. Commissioner Beale asked Mr. Lightner for his best estimate on the new software cost? According to Lightner, a new tax operating software can be purchased for \$350,000 to \$400,000 which can be paid over time, and includes an initial payment as well as annual maintenance costs thereafter of approximately \$60,000 per year.

Mr. Lightner stated that it was very important to perform the tax software upgrade at the beginning of a reappraisal cycle which we are currently in, so a full conversion of the software will have taken place prior to the year of the next revaluation. Otherwise two separate software systems would have to be run simultaneously during the revaluation which would be extremely difficult. Commissioner Beale commended Mr. Lightner on the savings brought to Macon County over the years thanks to an efficient Macon County Tax Office. Commissioner Gillespie made a motion to authorize Mr. Lightner to move forward with a Request for Proposals for new tax operating software, the motion was seconded by Commissioner Beale and passed unanimously. Finance Director Lori Hall reminded the Board that funds for this purchase had not been budgeted in FY 19-20' and this would need to be addressed prior to selecting a proposal.

**11G. Community Care Clinic Service Contract:** The County Manager informed the Board that the Agreement for Services with the Community Care Clinic was simply memorializing the funding which the Board voted to provide the clinic in September. "In exchange for the funding we provide to them they will provide medical services to low income individuals within the community as stated in the contract" said Roland. The Agreement to Provide Medical Care Services to Low Income Individuals has been attached [Attachment 6] and is

hereby made a part of these minutes. Commissioner Beale made a motion to approve the agreement as presented; the motion was seconded by Commissioner Shields and passed unanimously.

**11H. Reject Bid request No. 4310-09:** The County Manager requested for the Board to reject Bid No. 4310-09 for In Car and Body Camera Systems. According to the Manager, the bid received did not provide the county with important information which was specified in the County's bid request. County Attorney Chester Jones stated that he felt the county did not have to reject the bid, as it did not meet the standards and thus was not a qualifying bid. No action was taken by the Board.

**11I. Frank Myatt Occupancy Tax Penalty Waiver Request:** Finance Director Lori Hall presented a request from Frank Myatt, owner of the Carolina Motel to waive occupancy tax penalties assessed upon the Carolina Motel in the amount of \$930. A motion was made by Commissioner Shields to waive the penalty amount of \$930 assessed upon Carolina Motel for good cause shown. Motion was seconded by Commissioner Beale and passed unanimously.

Prior to discussing the Consent Agenda, Commissioner Beale asked the County Attorney if any progress had been made towards disbursing funds to those entities for Broadband expansion as approved by the Board in September, pending legal review? The County Attorney informed Commissioner Beale that considerable research has been undertaken on this topic and while the door had not yet been closed, we have ran into some difficulties. Commissioner Beale requested for the County Attorney to send him an email outlining his concerns so he could present it next Thursday in Raleigh and hopefully have the concerns addressed. The County Attorney said he would be happy to share his concerns in closed session if the Board desired.

**CONSENT AGENDA:** Upon a motion by Commissioner Beale, seconded by Commissioner Gillespie, the board voted unanimously to approve the items on the consent agenda as follows: **(A)**the minutes of the September 10, 2019 regular meeting **(B)** Budget Amendment # 74 South Macon Elementary School Project Transfer \$17,929 from project contingency for purchase of Playground Equipment. **(C)** the following budget amendments: #75 EMS Grant Received from Highlands Cashiers Health Foundation \$50,000; #76 EMS Grant received from Homeland Security Assistance to Firefighters Grant program to purchase 3 power lift systems for front line ambulances \$69,955 #77 Health Department Opioid/RCORP Grant \$60,000; #78 Health Department using Medicaid Cost Settlement funds to cover purchase of computers, replenishing contingency money used for Smart Start \$12,000 #79 Social Services increase in allocation Crisis Funds \$9,268: #80 Solid Waste Moving money for insurance settlement



\$516. #81 Health Department rolling unexpended ECU Funds into Current FY \$12,338 (D) #84 Reverse appropriating economic development fund balance for Highlands Performing Arts Center that was approved on August 13, 2019 (\$30,000)#85 Appropriate general fund balance for Highlands Performing Arts Center \$30,000; Authorize County Manager to enter into appropriate agreement for disbursement of funds to Highlands Performing Arts Center (E) Tax releases for month of September in the amount of \$2,166.34 (F) Tax Office Monthly Report (September) (G) Macon County Public Health billing guide and fee changes for FY 19-20'. (H) Brantley Construction Change Order #2 South Macon School Project \$60,123.98

**APPOINTMENTS:** Commissioner Gillespie indicated that there were currently two vacancies on the planning board for which the applications of Mark Berry and Jean Owen had been submitted and received. Commissioner Gillespie made a motion to approve the two applications, seconded by Commissioner Higdon and the motion passed unanimously.

Chairman Tate informed the Board that he had switched Liaison Assignments with Commissioner Higdon. Commissioner Higdon will take the place of Chairman Tate as Liaison to the Health Board, and Chairman Tate will take the place of Commissioner Higdon as Liaison to Macon Program for Progress.

**CLOSED SESSION:** Commissioner Gillespie made a motion to enter closed session to discuss potential property acquisition. Motion was seconded by Commissioner Higdon, passed unanimously and at 7:50 pm. the Board entered into closed session.

The Board reconvened in open session at 8:20 pm. County Manager Roland informed the Board that the due diligence period which accompanied the contract previously entered into for purchase of the 1.75 acre Stauffer property in Highlands for \$71,138 would lapse tomorrow. The manager went on to say that during the due diligence period neither he nor the county attorney encountered anything that would throw up a red flag which would prevent the county from moving forward with this purchase as contemplated in the contract. The manager indicated that he had not yet received the completed survey but would have it the following morning on October 9, 2019. Commissioner Beale made a motion to move forward with the purchase of the Stauffer property contingent upon the survey being received and approved by the County Attorney, County Manager and Chairman of the Board and to approve a budget amendment in the amount of \$71,380 from general fund balance to purchase the property. Commissioner Gillespie seconded the motion. The county attorney then posed the question what if the survey had not been completed tomorrow? Commissioner Beale stated he did not feel this would be the case, but if for some reason the survey was not received tomorrow

to move forward with the purchase of the property, as it would be a tremendous recreational asset for the Town of Highlands. The motion passed unanimously.

**ADJOURN:** With no other business, and at 8:23 p.m. upon a motion by Commissioner Higdon, seconded by Commissioner Gillespie Chairman Tate adjourned the October 8, 2019 meeting.

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Derek Roland  
Ex Officio Clerk to the Board

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Jim Tate  
Board Chairman