

# Macon County



**MACON COUNTY BOARD OF COMMISSIONERS**  
**FEBRUARY 8, 2022**  
**6 P.M.**  
**AGENDA**

1. Call to order and welcome by Chairman Tate
2. Announcements
3. Moment of Silence
4. Pledge of Allegiance
5. Public Hearing(s) -- **None**
6. Public Comment Period
7. Additions to agenda
8. Adjustments to and approval of the agenda
9. Reports/Presentations
10. Old Business
  - (A) Update on and consideration of request from the Nikwasi Initiative – County Manager Derek Roland
11. New Business
  - (A) Consideration of revised fire district map for Franklin Fire and Rescue – Emergency Services Director Warren Cabe
  - (B) Appointment of Local Firefighter Relief Fund Trustees – Mr. Cabe
    - (1) Mountain Valley
    - (2) Cullasaja Gorge
  - (C) Consideration of bond agreement regarding Mountain Breeze subdivision – Planning Director Joe Allen
  - (D) Consideration of Change Order #014 on the Macon Middle School Renovations project – Jack Morgan

- (E) Ratification of telephone poll regarding grant submission to the Needs Based Public School Capital Fund – County Manager Derek Roland
- (F) Schedule/reschedule public hearings for the March 8, 2022 regular meeting – County Attorney Eric Ridenour
  - (1) Revisions to the Building Code ordinance
  - (2) Revisions to the Building Height ordinance
  - (3) Revisions to the Soil and Erosion Control ordinance requested by the state
  - (4) Reschedule hearing on the Wireless Telecommunications ordinance
  - (5) Reschedule hearing on the Airport Hazard ordinance

12. Consent Agenda – Attachment #12

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

- (A) Minutes of the January 11, 2022 regular meeting
- (B) Budget Amendments #143-151
- (C) Tax releases for January 2022 in the amount of \$3,337.99
- (D) Order tax collector to advertise tax liens and collect any unpaid taxes
- (E) Monthly ad valorem tax collection report – no action necessary

13. Appointments

14. Closed session as allowed under NCGS 143-318.11(a)(3) in order to preserve the attorney-client privilege

15. Adjourn/Recess

# MACON COUNTY BOARD OF COMMISSIONERS

## AGENDA ITEM

### **CATEGORY – OLD BUSINESS**

**MEETING DATE: February 8, 2022**

10(A). County Manager Derek Roland will update the board on the status of the grant application regarding the Nikwasi Initiative. For the board's information and review, included in the packet are:

- (1) A letter of support from the Eastern Band of Cherokee Indians to Elaine Eisenbraun.
- (2) A letter from Franklin Mayor Jack Horton to the board of commissioners.
- (3) A letter from Town of Franklin Attorney John F. Henning, Jr. to the Nikwasi Initiative Executive Committee.





# The Eastern Band of Cherokee Indians

Principal Chief Richard G. Sneed

Vice Chief Alan B. Ensley

Richard French  
Chairman  
Big Cove Township

Albert Rose  
Vice-Chairman  
Birdtown Township

#### Tribal Council Members

TW Saunooke  
Yellowhill Township

David Wolfe  
Yellowhill Township

Bucky Brown  
Snowbird &  
Cherokee Co. Township

Adam Wachacha  
Snowbird &  
Cherokee Co. Township

Teresa McCoy  
Big Cove Township

Bo Crowe  
Wolfstown Township

Bill Taylor  
Wolfstown Township

Tommye Saunooke  
Painttown Township

Dike Sneed  
Painttown Township

Boyd Owle  
Birdtown Township

Elaine Eisenbraun  
Executive Director  
Nikwasi Initiative  
P. O Box 2197  
Franklin, NC 28744

Re: Nikwasi Initiative

To Whom It May Concern,

It is an honor to support the Nikwasi Initiative. The Eastern Band of Cherokee Indians has a rich culture and history. We have worked for years to restore and promote our Culture and History. The Nikwasi Initiative is based on culture and community which are pillars in Cherokee beliefs and practices. The Initiative is working hard to create a Cultural District at the Noquisiyi Mound which is in Franklin, North Carolina.

The mound site restoration will be bring life to a landmark that was once a thriving Cherokee community. The Cultural District will bring opportunities for education, businesses, art, and restoration. Some of the features will be illustrations, business opportunities, recreational areas, and food services. This project will bring great economic development to the area while also providing a space for intercultural exchange.

The Eastern Band of Cherokee Indians supports the cause of the Nikwasi Initiative and we are very excited to see what the future holds for the organization and the Noquisiyi Mound site.

Sincerely,

Richard G. Sneed

[Town Letterhead]

February 1, 2022

SENT VIA EMAIL AND REGULAR MAIL

Macon County Board of Commissioners  
c/o Mr. Jim Tate, Chairman  
5 West Main Street  
Franklin, NC 28734  
(Email sent to: jim.tate@maconnc.org)

Re: Nikwasi Initiative/Town of Franklin

Dear Chairman Tate:

I write to ensure that, as a partner entity in Nikwasi Initiative, you are fully informed of the Town of Franklin's recent communications with the Initiative's leadership, particularly dealing with its recent efforts to secure grant funding. Enclosed you will find recent communications between our Town Council and the Initiative. Please be reassured of the Town's commitment to remaining active in partnership with the Eastern Band, Macon County, and Mainspring Conservation Trust in the vital work of preserving the Nikwasi Mound property. We look forward to a productive meeting with the Nikwasi Initiative's leadership.

Please feel free to contact me directly with any questions or concerns.

Very truly yours,

Jack Horton  
Mayor, Town of Franklin

Encl: Letter to Nikwasi Initiative

February 1, 2022

Via Email

Nikwasi Initiative Executive Committee  
Ms. Elaine Eisenbraun, Director  
Mr. Bob McCollum  
Ms. Juanita Wilson  
(email sent to [elaine@nikwasi-initiative.org](mailto:elaine@nikwasi-initiative.org),  
[bobboh1@yahoo.com](mailto:bobboh1@yahoo.com), and [wjuanita41@yahoo.com](mailto:wjuanita41@yahoo.com))

Re: Town of Franklin/Grant Application Approval

Dear Ms. Eisenbraun, Mr. McCollum, and Ms. Wilson,

Thank you for your prompt attention to the letter I sent you on January 14, 2022 on behalf of the Town of Franklin (the Town). As you may know, the Town Council held a retreat on January 22, during which the Council Members discussed the anticipated request for the Council's endorsement of Nikwasi Initiative's application for grant funding. I write on behalf of the Town Council to express the Council's concerns, as well as conditions it expects will be met in order to allow such an endorsement. These are offered in hopes of a harmonious and productive meeting, and a renewed commitment from all of the partner entities that make up Nikwasi Initiative to the protection and betterment of this treasured cultural asset.

### **Equal and Meaningful Representation**

Nikwasi Initiative began as an equal venture of its present partners, namely the Town, Macon County, Eastern Band of Cherokee Indians, and what is now Mainspring Conservation Trust. The Initiative's bylaws still reflect this fact, requiring in Article III, Section 2 that these four partner entities "shall have equal representation on the Board [of Directors]." The Town Council believes that having multiple board members from each partner would lend broader perspective and better continuity (something the Town lost, along with a great deal else in Barbara McRae's untimely passing). To that end, the Town Council desires to see Niwkasi Initiative's bylaws return to the earlier model by which its partners were included, with each partner naming two (2) members to the Board.

The Nikwasi Initiative bylaws do not limit the Board's role to policy and oversight of officers; instead it is charged with the executive functions of "executing the mission, goals and objectives of the Organization, and assigning priorities to these goals



Nikwasi Initiative Executive Committee

2/1/22

p.2

and objectives when needed,” among other things. Yet there has recently been a sense that the Board is not consulted prior to the making of major decisions by its executive committee. In order for the Town Council to feel confident in meaningful partnership in the Initiative, the bylaws must be amended to require Board consultation and approval prior to the most significant decisions. At minimum, any expenditure of funds greater than \$10,000, any matter regarding real property, and any application for grant funds would each require full Board approval.

Finally as respects the bylaws, the Town recognizes the distinct nonprofit corporate existence of Nikwasi Initiative, and so future amendments to the bylaws would always be possible. In order for the Town Council and the other partner entities to remain fully engaged with Nikwasi Initiative, the bylaws should be amended to require at least those bylaw provisions expressed herein may not be changed without approval by the partner entities themselves.

### **Grant Funding, Timing, Terms & Conditions**

The Town Council requires sufficient time and reflection on the intent of the current grant funding application, in order to determine its support for such an effort. Please plan to present details on the application, and to discuss the Council's other concerns, at its meeting next Monday, February 7, 2022. This will appear on the Council's agenda as an item for discussion, to facilitate a free, honest and open discussion.

We look forward to meeting with you, and to continuing the important work of the Nikwasi Initiative.

Best regards,

CAMPBELL SHATLEY, PLLC



John F. Henning, Jr.

cc: Hon. Jack Horton, Mayor  
Town Council Members  
Ms. Amanda Owens, Town Manager  
Niwikasi Initiative Board of Directors

JFH/abg

# MACON COUNTY BOARD OF COMMISSIONERS

## AGENDA ITEM

### CATEGORY – NEW BUSINESS

**MEETING DATE: February 8, 2022**

11(A). On behalf of the Macon County Fire Marshal's Office, Emergency Services Director Warren Cabe is requesting approval of a revised Franklin Fire and Rescue fire district map that reflects the department's new substation, located on US 441 North. Per Mr. Cabe, the service area will not change, but approximately 913 parcels will move from a six-mile district into a five-mile district, effectively allowing them to qualify for lower insurance premiums. A copy of the map will be included in the packet.

11(B). Also on behalf of the Fire Marshal's Office, Mr. Cabe will present recommendations for the appointment of Local Firefighter Relief Fund Trustees for the Mountain Valley and Cullasaja Gorge Fire and Rescue departments. (1) Mountain Valley Fire and Rescue is requesting the appointment of Joyce Carpenter and Jill Picklesimer to its Relief Fund Board of Trustees, and (2) Cullasaja Gorge Fire and Rescue is requesting the appointment of Robert Henry to its trustee board. Mr. Cabe can answer questions or provide additional information at the meeting, and a copy of a document entitled "Your Department's Firefighters' Relief Fund" will be included for the board's review.

11(C). Planning Director Joe Allen will present a request regarding a bond agreement in connection with the Mountain Breeze subdivision. Per Mr. Allen, in lieu of completing all improvements to the subdivision, the developer, Scott Cole, would like to enter into a bond agreement with the county for 125 percent of the estimated cost to complete the improvements. A copy of the agreement, which calls for a secured performance bond in the amount of \$51,025, will be included in the packet, along with other supporting documents.



11(D). Jack Morgan will provide an overview of Change Order #014 on the Macon Middle School Renovations project, and a copy of the change order is included in the packet.

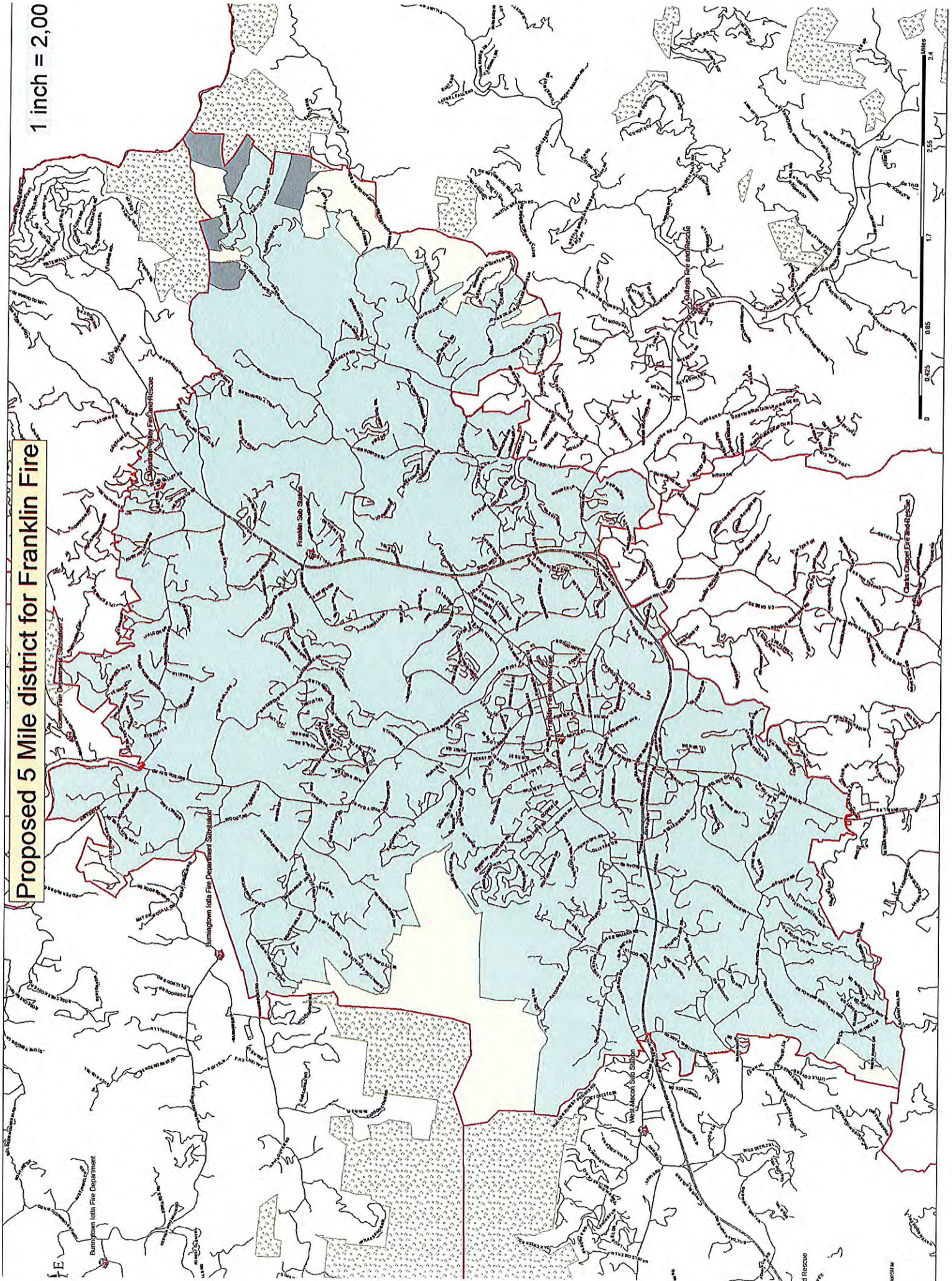
11 (E). Mr. Roland will be asking the board members to ratify a telephone poll taken in connection to a grant submission to the Needs Based Public School Capital Fund, and he can provide greater detail at the meeting.

11(F). As the board members will recall, we were scheduled to have two public hearings at the February regular meeting, one on the Wireless Telecommunications Ordinance and the other on the Airport Hazard Ordinance. However, due to my absence, the public notices for those hearings were not published, and therefore the hearings will have to be rescheduled for the March regular meeting in order to meet the notice requirements. In addition, the County Attorney has prepared revisions to three other ordinances (Building Code, Building Height and Soil and Erosion Control), and is requesting that the board schedule public hearings on those for the March 8, 2022 regular meeting as well.



# Proposed 5 Mile district for Franklin Fire

1 inch = 2,000





## YOUR DEPARTMENTS FIREFIGHTERS' RELIEF FUND

### Overview

The **Firefighters' Relief Fund (FRF)** was established in 1907 to financially assist firefighters that are injured while performing their duties, and to insure that no firefighter would become financially destitute through no fault of their own. The FRF has seen several legislative revisions over the course of its history. Some of these added additional uses for the fund and recent changes placed additional guidelines on the fund. The FRF laws are found under G.S. 58-84 and G.S. 58-85. Laws that govern your departments use of the FRF are concentrated in G.S. 58-84.



The FRF is funded by a portion of the Gross Premium Tax (GPT) (G.S. 105-228.5(d)(3)) on insurance policies containing fire and lightning protection, as well as certain automotive policies. Of the total GPT collected, 20% is dedicated to the FRF. The fund is distributed by the Commissioner of Insurance to local firefighter relief funds (**LFRF**) annually. The amount each department receives is based upon several calculations. Each County is allocated an amount based on the amount received the previous year. If the total amount to be allocated statewide during the current year is above or below the amount distributed the previous year, the adjustment allocated to each county is based on the population of the County as compared to the overall State population. Once the County

distribution amount is determined, the amount the County is allocated is divided between the eligible departments within the County by the amount of property tax covered. For example, if your Department protected 17% of the property within your County, your LFRF check would be for 17% of the County allocation. The checks from the Commissioner are mailed out after the beginning of each budget year in July or early August to eligible departments. Amounts designated for departments who are not eligible for distribution for reasons described in this pamphlet create the State Firefighters' Relief Fund. This fund helps provide Line of Duty Death and Accidental Death and Dismemberment insurance to firefighters of all eligible departments across the State. The fund also provides scholarships to firefighters and their dependent children.



### Uses Controlled by the LRFB

The following uses are allowable after the LRFB has reviewed and approved them:

- 1) To assist financially any firefighter in active service for a sickness or injury contracted in the line of duty. The amount is dependent on need and availability of funds as determined by the LRFB upon review and the annual earning capability of the individual.
- 2) To provide reasonable support to family or dependents of a firefighter who may lose their life in the line of duty by accident or sickness. The amount is dependent on need and availability of funds as determined by the LRFB upon review and the annual earning capability of the individual.
- 3) To pay premiums in the Fraternal Insurance Fund of NC if the firefighter is a member and the LRFB has determined the firefighter cannot pay for reasons of disability.
- 4) To cover necessary management and investment costs that are reasonable and appropriate in relation to the assets, purpose, and financial security of the local Firefighters' Relief Fund.



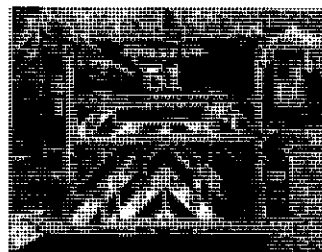
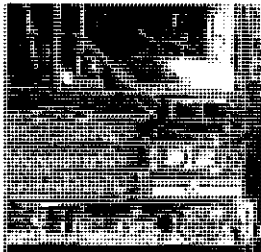
### Uses Controlled by the LRFB but Requiring Approval of the NCSFA Executive Director

The following uses are allowable after the LRFB has reviewed and approved them, and a request is made and approval given by the Executive Director of the NC State Firefighters' Association. The reason for the review and approval of the NCSFA Executive Director is to insure it is an allowable use, the fund is "financially sound" or stable, and the use will not reduce the funds to an extent where they would not be available for uses 1), 2) and 3) above.

- 5) If a firefighter becomes financially destitute, the LRFB can request the use of funds to be used to assist the firefighter. The firefighter must have served honorably as determined by the local relief fund board. Destitution must be through no fault of the firefighter (i.e. gambling, poor investments, reckless spending, unwillingness to work, etc., would not be considered), and is defined as the inability to provide basic provisions to themselves or their families. Such basic provisions include but are not limited to, assistance with housing, vehicle or commuting expenses, food, clothing, utilities, medical care, and funeral expenses. The amount is dependent on need and availability of funds as determined by the LRFB upon review and approval of the Executive Director.



- 6) Upon approval of the LRFB and a request made and approval given by the Executive Director of the NC State Firefighters' Association, the payment of monthly assessments in the NC Firefighter's and Rescue Workers Pension Fund is allowed.
- 7) Upon approval of the LRFB and a request made and approval given by the Executive Director of the NC State Firefighters' Association, the payment of workers compensation premiums are allowed, including those to the Volunteer Safety Workers Compensation Fund.
- 8) Upon approval of the LRFB and a request made and approval given by the Executive Director of the NC State Firefighters' Association, the payment of premiums for other types of insurance and pension protection for firefighters. For example, dues to the NC State Firefighters' Association, the NC Association of Fire Chiefs, or the National Volunteer Fire Council are allowed since these three associations provide LODD, A&D, and scholarship programs for firefighters otherwise eligible for relief fund benefits.
- 9) Upon approval of the LRFB and a request made and approval given by the Executive Director of the NC State Firefighters' Association educational benefits to firefighters and their dependents are allowed. These are generally in the form of scholarships that allow application and a fair access to all members and dependents.
- 10) Upon approval of the LRFB and a request made and approval given by the Executive Director of the NC State Firefighters' Association, annual physicals that are required for firefighter positions by the Department of Labor, or recommended by the National Fire Protection Association. While not intended to supplement fire department operational costs, this is intended to help insure that firefighter safety is paramount and that necessary physicals may be given in the absence of available fire department funding.
- 11) One of the most complex uses of the fund, upon approval of the LRFB and a request made and approval given by the Executive Director of the NC State Firefighters' Association, is the use of relief fund monies for a supplemental retirement fund. This requires significant planning and future projections, a stable fund balance, and other controls requiring more detailed review. It is addressed in more detail in a following section "Establishing and Maintaining a Supplemental Retirement Program within Your Local Relief Fund".



Since the FRF laws remained virtually unchanged until the 1950's, several department's LFRF across the State got laws passed at the State level to allow them uses for their fund that were not allowed by Article 84 at the time. There are currently over 50 local bills of this nature. Due to changes in Article 84 of the General Statutes since 1950, most recently 2014, most of the provisions used in local laws are now allowed in Article 84, rendering many local laws obsolete and the necessity for new ones non-existent. Changes in the 2014 legislative session also rendered several components of existing local laws repealed, such as interest only spending limits, or fund uses not otherwise found and allowed in GS 58-84. The new provisions of the law allow increased flexibility to utilize the funds for the benefit of firefighters across the State.

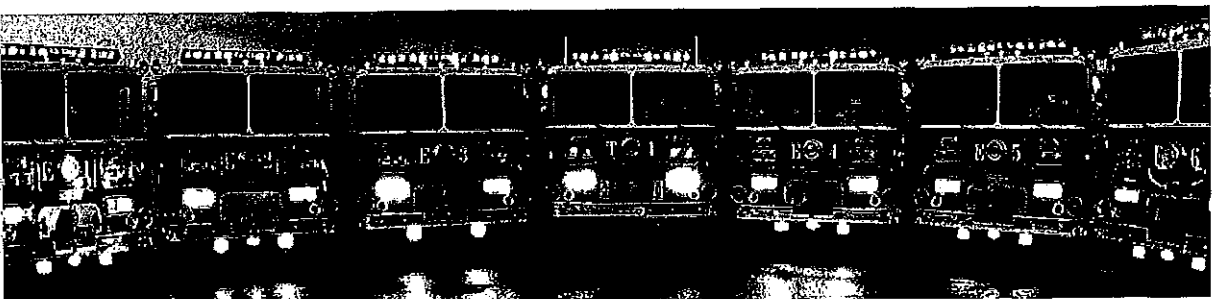
### Requirements

To be eligible to receive funds for a LFRF, the fire department must follow several guidelines.

1) It first must be a rated department by the Commissioner of Insurance; and 2), a member of the NC State Firefighters' Association (GS 58-84-1).

3) Next, it must appoint a **Local Relief Fund Board (LRFB)** consisting of five members (GS 58-84-30): two members serving at the pleasure of the fire department elected by the membership who are qualified as beneficiaries of the fund; two of whom shall be elected or appointed by the Mayor, Board of Alderman, or City Council if it is a municipal department, or other local governing body to serve at their pleasure, or, if it is a non-municipal department, two appointed by the County Commissioners to serve at their pleasure; and one appointed by the Commissioner of Insurance. If the local fire chief is not one of the members appointed, they shall serve as ex-officio members of the local Board. The **Local Relief Fund Board (LRFB)** shall then elect a Chairperson, Treasurer, and Secretary. The Secretary and Treasurer may be the same person.

The funds received from the Commissioner of Insurance shall be maintained by the Treasurer in a separate and distinct fund, the balance and use of which shall be reported annually to the NC State Firefighters' Association. Each year a good and sufficient surety bond must be purchased equal to the amount held, but in most cases the Commissioner of Insurance purchases one bond for all Local FRF accounts each year. Unless advised differently by the NCSFA annually, a LRFB Treasurer may assume a statewide bond has been purchased.





STATE OF NORTH CAROLINA  
COUNTY OF MACON

**AGREEMENT**

This Agreement is made and entered into this the \_\_\_ day \_\_\_\_\_, 20\_\_\_, by and between Macon County, a North Carolina Body Politic and Corporate, and **Old Mud Creek, LLC**\_\_\_\_, hereinafter “Developer”.

WITNESSETH:

THAT WHEREAS, Macon County has an Ordinance known as the “Macon County Subdivision Ordinance” and the same was originally adopted on or about June 2, 2008, effective September 1, 2008, and the same has been amended and restated on October 12, 2021 (herein “Ordinance”); and

WHEREAS § 159.24 of said Ordinance and G.S. 160D-804.1 provides for performance guarantees at the time the plat is recorded to assure successful completion of required improvements to a subdivision; and

WHEREAS in accordance with Macon County Subdivision Ordinance § 159.24 and G.S. 160D-804.1(1) does require a Subdivider to obtain a performance guarantee which means any of the following: a) surety bond issued by a company authorized to do business in this State; b) letter of credit issued by any financial institution licensed to do business in this State; and c) other form of guarantee that provides equivalent security to a surety bond or letter of credit; and

WHEREAS, in accordance with Macon County Subdivision Ordinance § 159.24 and G.S. 160D-804.1(3), the performance guarantee shall be in the amount of 125% of the reasonably estimated cost of completion at the time the performance guarantee is issued; and

WHEREAS, Developer, in compliance with § 159.24 of the Macon County Subdivision Ordinance and G.S. 160D-804.1, desires to enter into such an agreement with Macon County to complete all required improvements for **Mountain Breeze** Subdivision in Macon County, North Carolina, and does specifically agree to fully complete the following improvements to such subdivision as shown on attached Exhibit A, the same being incorporated herein by reference as if more fully set forth herein; and

WHEREAS, Developer agrees to cause a performance guarantee in the amount of \$ **51,025**\_, as set forth in attached Exhibit B and in favor of Macon County in accordance with the provisions of the Macon County Subdivision Ordinance at the time the plat is recorded; and

WHEREAS, the parties hereto desire to enter into this Agreement in order to

memorialize their agreement and to comply with the Ordinance above-referenced.

NOW THEREFORE, IN CONSIDERATION OF THE FOREGOING AND THE COVENANTS CONTAINED HEREIN, THE PARTIES HERETO DO AGREE AS FOLLOWS:

1. That in order to comply with the Macon County Subdivision Ordinance, Developer does hereby agree with Macon County to fully complete all of the improvements shown on attached Exhibit A, the same being incorporated herein by reference as if more fully set forth herein to the reasonable satisfaction of Macon County in connection with and to **Mountain Breeze** Subdivision in Macon County, North Carolina, and in accordance with the terms of the Macon County Subdivision Ordinance referenced hereinabove.
2. That in order to comply with the Macon County Subdivision Ordinance, Developer does hereby agree to secure a performance bond in the form as set forth in attached Exhibit B, the same being incorporated herein by reference, in the amount of \$ 51,025 in connection with **Mountain Breeze** Subdivision in Macon County, North Carolina, in order to insure the completion of the improvements as shown on attached Exhibit A, the same being incorporated herein by reference, to the reasonable satisfaction of Macon County and in accordance with the terms of the Macon County Subdivision Ordinance referenced hereinabove.
3. That the parties agree to and confirm the recitals set forth hereinabove.

This Agreement is made and entered into the day and year first above written.

Macon County

By:

Chairman, Macon County  
Board of County Commissioners

Attest:

\_\_\_\_\_  
Clerk to the Board

( County Seal )

\_\_\_\_\_  
Developer

By:  
Authorized Representative,





Bryson Enterprises  
P.O. Box 1691  
Highlands, NC 28741  
828.526.9348  
brysongrading@gmail.com

ADDRESS  
SCOTT COLE

Estimate 2926

DATE 12/06/2021

ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
	THIS ESTIMATE IS BASED OFF MEASURMENTS PROVIDED BY MR. COLE. THIS IS FOR 120LF AT THE ENTRANCE AND 130' ON THE BACKSIDE OF THE HILL. WE WILL NEED TO CONFIRM MESURMENTS PRIOR TO PAVING			
Paving:SETUP	GRADE SETUP FOR PAVING	4,200	0.85	3,570.00
Paving:PAV-NEW	NEW PAVING OVER GRAVEL BASE. THIS IS 2" AFTER COMPACTION OF 9.5 F MIX ASPHALT. PER SF	4,200	2.75	11,550.00
NOTE	WE ARE CURRENTLY BOOKING FOR LATE 2022 PAVING SEASON	1	0.00	0.00

Prices are good for 30 days.

Payment: Signed contract must be received before we will add you to our schedule.

5% of total contract amount must be received before we will begin work. Full payment is due on date of invoice. Invoice is subject to 2% interest charge for bills over 30 days late

We are not responsible for any damages to:

-Utilities buried underground, asphalt, concrete, paver bricks on roads or driveways we are hauling on.

-No solid rock removal included unless noted above

-We are not held responsible for flaws in our work that are out of our control.

-Subsurface water issues subject to additional cost.

-Paving grades at less than 1 1/2% are void of warranty.

-No split payments unless agreed upon in writing prior to the beginning of work.

TOTAL

\$15,120.00

Accepted By

Accepted Date

**BOBBY WELCH CONSTRUCTION CO., INC.**

P.O. BOX 54  
DILLARD, GA 30537  
Phone 706-746-2423  
Fax 706-746-5558  
bwc7836@yahoo.com

JANUARY 25, 2022

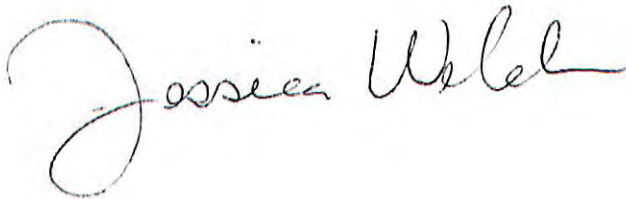
SCOTT COLE

REF: MUDD CREEK LOTS

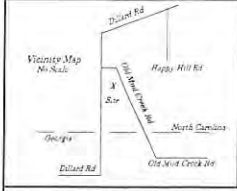
**ESTIMATE**

THE FOLLOWING IS AN ESTIMATE OF WHAT IT MIGHT COST TO INSTALL THE SYSTEM ACCORDING TO OUR CONVERSATION WITH SCOTT COLE. FINAL COST WOULD BE DETERMINED WHEN WE ACTUALLY HAVE THE SEPTIC PERMIT.

LOTS 2 & 3 SHARED PRICE WAS \$7,150.00  
LOTS 7 & 8 SHARED PRICE WAS \$5,700.00  
LOTS 12 & 13 SHARED PRICE WAS \$5,700.00  
LOTS 10 & 11 SHARED PRICE WAS \$7,150.00

A handwritten signature in cursive script that reads "Jossie Welch". The signature is written in dark ink and is positioned in the lower-left quadrant of the page.





**Owner:**  
 O.T.M. Creek LLC  
 3021 Stone Drive  
 PO. Box 2008  
 (tel) 482 2355

1. This survey is based on field observations and measurements as shown.  
 2. Parcels may be subject to easements, covenants, restrictions and encroachments written and/or unrecorded.  
 3. The certification shown herein is not a certification of title, amount of acreage from acreages.  
 4. This survey was prepared without benefit of abstracts and all matters of title should be referred to an attorney at law.  
 5. To obtain the original ground (unacrossed) divide distances shown (grid distances) by reduced factors of 1.0001266666667.  
 6. Property has not been inspected for wetlands or flood hazards.  
 7. All adjacent property information was taken from current land records information as of date of survey but it should be noted that all public land records information may not be current as of the date.  
 8. No recoverable NCGS horizontal control is found within 2500' of property.  
 9. Acreage is calculated by method of coordinates.



North Carolina, Mecklenburg County  
 the Register of Deeds of Mecklenburg County, PLS is certified to be correct. This instrument was prepared and recorded in the office in Plat C-082, Side \_\_\_\_\_, 400' x 400' x 400' x 400'.

Mecklenburg County Register of Deeds

**Certificate of Approval for Recording**  
 I hereby certify that the aforesaid plat shows correct and complete compliance with the Subdivision Regulations of the State of North Carolina and that this plat has been approved by the Subdivision Administrator for recording in the office of the Register of Deeds of Mecklenburg County.

Subdivision Administrator: \_\_\_\_\_ Date: \_\_\_\_\_  
 Major Subdivision: \_\_\_\_\_

This document originally issued & sealed by Aaron Garrett, PLS, L-4967, on 11/30/21. This medium shall not be considered a certified document.

Aaron Garrett  
 L-4967

I, Aaron Garrett, certify:  
 a. I, S. 47-30 (b) (1) (a) This survey creates a subdivision of land within the limits of a county or an municipality that has an ordinance that regulates parcels of land.  
 Signature: \_\_\_\_\_

- Legend**
- All Properties
  - Mag. Nails (S) Unless otherwise noted
  - ▲ 1/4" Brass Pin
  - 1/2" Brass Pin
  - 1/2" Iron Pipe Pin
  - Point (N/A) Soil
  - Utility Pole
  - C - Cornering
  - NF - New in Primary
  - DB - Deed Book
  - PC - Plat Cont.
  - SL - Side
  - NW - Right of Way
  - (S) - Sur. or Found (T) - Total
  - Survey Line
  - Overlaid Utility Lines
  - The Line
  - Dead Line (Not Surveyed)
  - Well
  - S.E.A. Septic Easement Area

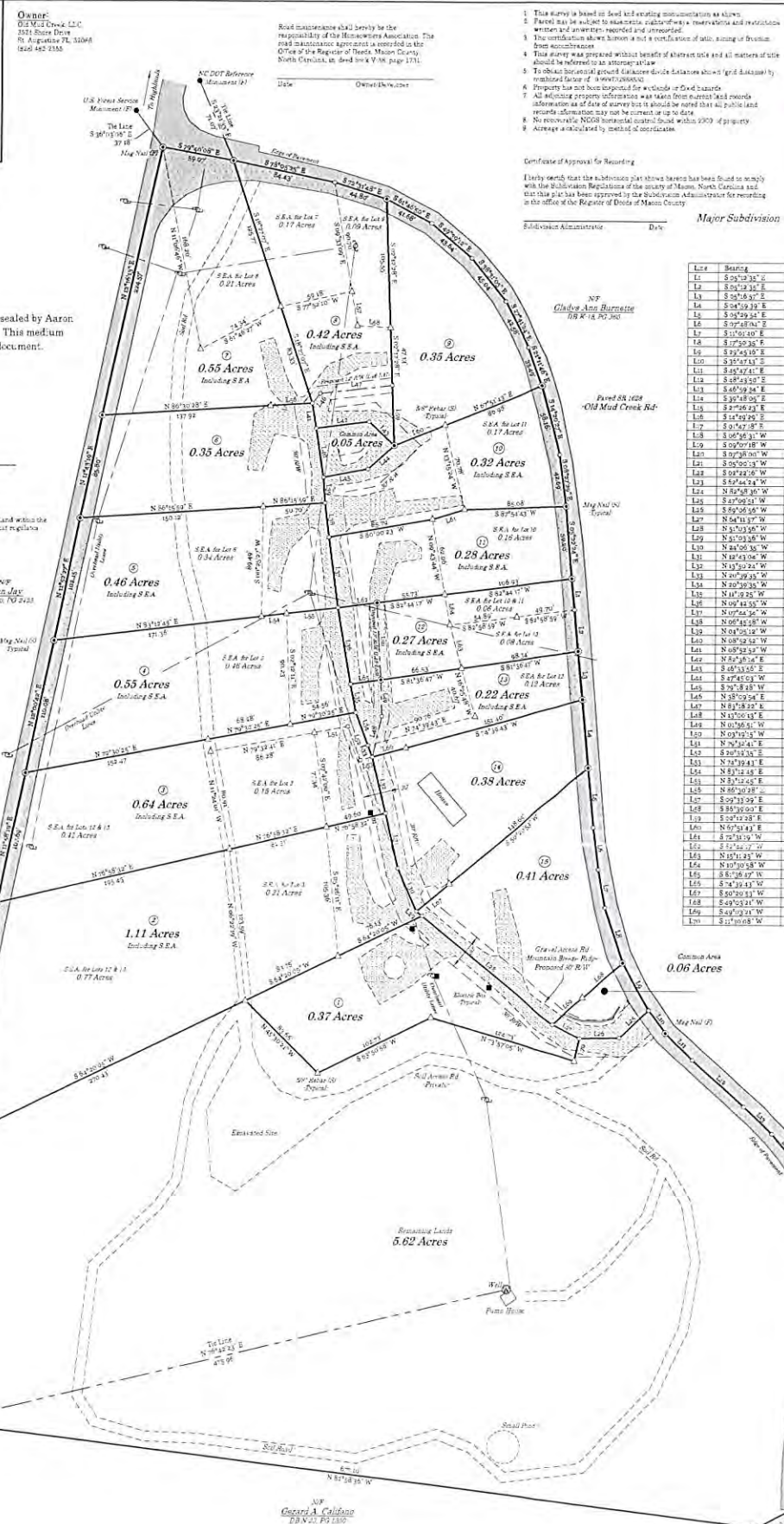
Septic Easement Area (S.E.A.)

As of the date of this plat, the 1/4" brass nails have not been inspected or approved by the State Department. Until inspected there is no assurance that a building permit can be issued.

Note: \_\_\_\_\_

NF  
 Creekside Cove Property Owners  
 DPA: 10-11-21

Parcel NC 88-128  
 Old Mud Creek Rd.



Line	Bearing	Distance
L1	S 50°12'30" E	13.27
L2	S 50°12'30" E	13.21
L3	S 50°12'30" E	13.39
L4	S 50°12'30" E	13.47
L5	S 50°12'30" E	13.54
L6	S 50°12'30" E	13.62
L7	S 50°12'30" E	13.70
L8	S 50°12'30" E	13.78
L9	S 50°12'30" E	13.86
L10	S 50°12'30" E	13.94
L11	S 50°12'30" E	14.02
L12	S 50°12'30" E	14.10
L13	S 50°12'30" E	14.18
L14	S 50°12'30" E	14.26
L15	S 50°12'30" E	14.34
L16	S 50°12'30" E	14.42
L17	S 50°12'30" E	14.50
L18	S 50°12'30" E	14.58
L19	S 50°12'30" E	14.66
L20	S 50°12'30" E	14.74
L21	S 50°12'30" E	14.82
L22	S 50°12'30" E	14.90
L23	S 50°12'30" E	14.98
L24	S 50°12'30" E	15.06
L25	S 50°12'30" E	15.14
L26	S 50°12'30" E	15.22
L27	S 50°12'30" E	15.30
L28	S 50°12'30" E	15.38
L29	S 50°12'30" E	15.46
L30	S 50°12'30" E	15.54
L31	S 50°12'30" E	15.62
L32	S 50°12'30" E	15.70
L33	S 50°12'30" E	15.78
L34	S 50°12'30" E	15.86
L35	S 50°12'30" E	15.94
L36	S 50°12'30" E	16.02
L37	S 50°12'30" E	16.10
L38	S 50°12'30" E	16.18
L39	S 50°12'30" E	16.26
L40	S 50°12'30" E	16.34
L41	S 50°12'30" E	16.42
L42	S 50°12'30" E	16.50
L43	S 50°12'30" E	16.58
L44	S 50°12'30" E	16.66
L45	S 50°12'30" E	16.74
L46	S 50°12'30" E	16.82
L47	S 50°12'30" E	16.90
L48	S 50°12'30" E	16.98
L49	S 50°12'30" E	17.06
L50	S 50°12'30" E	17.14
L51	S 50°12'30" E	17.22
L52	S 50°12'30" E	17.30
L53	S 50°12'30" E	17.38
L54	S 50°12'30" E	17.46
L55	S 50°12'30" E	17.54
L56	S 50°12'30" E	17.62
L57	S 50°12'30" E	17.70
L58	S 50°12'30" E	17.78
L59	S 50°12'30" E	17.86
L60	S 50°12'30" E	17.94
L61	S 50°12'30" E	18.02
L62	S 50°12'30" E	18.10
L63	S 50°12'30" E	18.18
L64	S 50°12'30" E	18.26
L65	S 50°12'30" E	18.34
L66	S 50°12'30" E	18.42
L67	S 50°12'30" E	18.50
L68	S 50°12'30" E	18.58
L69	S 50°12'30" E	18.66
L70	S 50°12'30" E	18.74

Mecklenburg County  
 Mountain Breeze  
 Flats Township, Mecklenburg County, NC  
 Date: 10/18/21 Scale: 1"=40'  
 Scaled by: \_\_\_\_\_  
 Reference: Deed, DB 8-10, 17-0201  
 PLS, L-4967  
 Aaron Garrett, L-4967, O.T.M. Creek, L.L.C.

**12.41 Acres Total**



New Atlantic Contracting Inc  
2635 Reynolda Rd  
Winston Salem, North Carolina 27106  
Phone: (336) 759-7440  
Fax: (336) 759-7445

Project: 2102 - Macon Middle School Renovations  
1345 Wells Grove Road  
Franklin, North Carolina 28734

**Prime Contract Potential Change Order #014: Replace countertop E116, NE floor prep, AHU #12 schematic and library ramp flooring/steps, RFI #39, RFI #41 and Room N116 window infill**

<b>TO:</b>	Macon County 5 West Main Street Franklin, North Carolina 28734	<b>FROM:</b>	New Atlantic Contracting Inc 2635 Reynolda Rd Winston Salem, North Carolina 27106
<b>PCO NUMBER/REVISION:</b>	014 / 1	<b>CONTRACT:</b>	1 - Macon Middle School Renovations Prime Contract
<b>REQUEST RECEIVED FROM:</b>		<b>CREATED BY:</b>	Frank Harris (New Atlantic Contracting Inc)
<b>STATUS:</b>	Pending - In Review	<b>CREATED DATE:</b>	1/4/2022
<b>REFERENCE:</b>		<b>PRIME CONTRACT CHANGE ORDER:</b>	None
<b>FIELD CHANGE:</b>	No		
<b>LOCATION:</b>		<b>ACCOUNTING METHOD:</b>	Amount Based
<b>SCHEDULE IMPACT:</b>		<b>PAID IN FULL:</b>	No
<b>EXECUTED:</b>	No	<b>SIGNED CHANGE ORDER RECEIVED DATE:</b>	
		<b>TOTAL AMOUNT:</b>	\$56,388.84

**POTENTIAL CHANGE ORDER TITLE:** Replace countertop E116, NE floor prep, AHU #12 schematic and library ramp flooring/steps, RFI #39, RFI #41 and Room N116 window infill

**CHANGE REASON:** Design Development

**POTENTIAL CHANGE ORDER DESCRIPTION:** *(The Contract Is Changed As Follows)*  
January 27, 2022

Mr. Chris Coleman  
1815 S. Tyron St. Suite A  
Charlotte, NC 28203

**RE:** Macon County Middle School  
Macon County Schools  
Franklin, NC 28734  
Potential Change Order Number 014

**NAC JOB# 2102**

Dear Chris,

Attached is our proposal to replace the countertop in E116, NE flooring prep, AHU 12 schematic and Library ramp/step flooring, RFI #39 NE wing corridor roof leaks, RFI #41 North wing electric heater infill and Room N116 window infill.

The total cost estimate of this work per the enclosed summary sheet and attached back-up is **\$ 56,389.00**

This change will not increase the contract time; however, we reserve the right to request an equitable adjustment in the contract amount and time as a result of the cumulative impact of this and future change orders.

This proposal is based on the following qualifications:

We have proceeded with and/or completed this work as directed, and therefore, request your prompt acceptance of this proposal.

It may be necessary to revise this proposal if it is not accepted within 5 days, or if the progress of the work changes the conditions upon which this proposal is based.

Thank you for your prompt consideration of this proposal.

Very truly yours,

New Atlantic Contracting

**ATTACHMENTS:**

[Macon MS ph. 4 heater demo proposal.docx](#) , [\\_CACO#14.pdf](#) , [\\_Macon County Middle School NE Wing Roof.xlsx](#) , [\\_Macon County Edge Metal and Chimney CO.pdf](#) , [\\_CO2 Macon Middle Library Steps.pdf](#) , [\\_RE\\_Macon Middle Ramp.msg](#) , [\\_Sketch.pdf](#) , [\\_Cost Backup \(1\).pdf](#) , [\\_Change Order 7 AHU 12 Drawings.pdf](#) , [\\_12-6-21 QUOTE FOR ADDITIONAL MATERIAL AND TOP.pdf](#) , [\\_CO-6 Macon Middle Additional Floor Prep.pdf](#)

#	Budget Code	Description	Amount
1	12-366.S Casework and Window Stools.Commitment	Replace countertop in E116	\$1,800.00
2	09-651.S Flooring.Commitment	NE Phase added floor prep	\$9,817.25
3	23-001.S HVAC	AHU 12 Schematic	\$8,119.02
4	09-650.S Flooring	Library steps	\$3,625.00
5	09-651.S Flooring.Commitment	Library ramp	\$1,400.25
6	04-200.S Masonry.Commitment	Room N116 Existing Window Infill	\$840.00
7	95-000.MM MISCELLANEOUS.Materials	Block, brick, mortar, rebar, and dumpster Fees	\$500.00
8	26-001.S Electrical	North Wing Electric Wall Heaters Removal	\$680.00
9	95-000.MM MISCELLANEOUS.Materials	Block, Mortar and Dumpster Costs	\$400.00
10	04-200.S Masonry.Commitment	North Wing Electric Wall Heaters Infill	\$300.00
11	09-250.S Drywall	North Wing Electric Wall Heaters Infill	\$2,561.61
12	95-000.MM MISCELLANEOUS.Materials	Dump fees	\$500.00
13	07-215.S EIFS.Commitment	Northeast Wing Corridor Roof Leaks	\$14,000.00
14	07-542.S Roofing.Commitment	Northeast Wing Corridor Roof Leaks	\$6,678.65
<b>Subtotal:</b>			<b>\$51,221.78</b>
Material (6.75% Applies to Materials.):			\$94.50
Equipment (6.75% Applies to Equipment.):			\$0.00
Labor (39.00% Applies to Labor.):			\$0.00
OH&P Sub (7.50% Applies to Material Purchase Order and Commitment.):			\$3,736.63
OH&P LME (15.00% Applies to Equipment, Materials, and Labor.):			\$224.18
Insurance (1.00% Applies to Temporary Labor, Material Purchase Order, Payroll Taxes & Insurance, Owner Cost, Commitment, Equipment, Materials, Labor, Other, and Professional Services.):			\$552.77
P&P Bond (1.00% Applies to Temporary Labor, Material Purchase Order, Payroll Taxes & Insurance, Owner Cost, Commitment, Equipment, Materials, Labor, Other, and Professional Services.):			\$558.30
Rounding (0.00% Applies to Temporary Labor, Material Purchase Order, Payroll Taxes & Insurance, Owner Cost, Commitment, Equipment, Materials, Labor, Other, and Professional Services.):			\$0.68
<b>Grand Total:</b>			<b>\$56,388.84</b>

**Mark Sealy (SGA NarmourWright Design)**  
 1815 S. Tryon Street, Suite A  
 Charlotte, North Carolina 28226

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

**New Atlantic Contracting Inc**  
 2635 Reynolda Rd  
 Winston Salem, North Carolina 27106

Mark W. Sealy  
 Digitally signed by Mark W. Sealy  
 DN: C=US,  
 E=msealy@sganwdesign.com,  
 O=SGA | NW Design, CN=Mark  
 W. Sealy  
 Date: 2022.01.27 17:13:42-05'00'

SIGNATURE

DATE

SIGNATURE

DATE

SIGNATURE

DATE



# MACON COUNTY BOARD OF COMMISSIONERS

## AGENDA ITEM

### **CATEGORY – CONSENT AGENDA**

#### **MEETING DATE: February 8, 2022**

Item 12A. Draft minutes from the January 11, 2022 regular meeting are attached for the board's review and approval. (Mike Decker/Tammy Keezer)

Item 12B. Budget Amendments #143-151 are attached for your review and approval. (Lori Carpenter)

Item 12C. Approval of tax releases for the month of January 2022 in the amount of \$3,337.99, per the attached memo and an itemized list of the releases. (Delena Raby)

Item 12D. Per North Carolina General Statute 105-369, order the tax collector to advertise the tax liens and to collect any unpaid taxes owed to the county. Please see the attached memo from Tax Collections Supervisor Delena Raby.

Item 12E. A copy of the ad valorem tax collection report, which shows a 93.83 percent collection rate as of January 31, 2022. No action is necessary. (Delena Raby)

**MACON COUNTY BOARD OF COMMISSIONERS**  
**January 11, 2022**  
**MINUTES**

Chairman Tate called the meeting to order at 6:02 p.m. All Board Members, County Manager Derek Roland, County Attorney Eric Ridenour, members of the news media, county employees and citizens were present. Finance Director Lori Carpenter and Deputy Clerk Mike Decker participated virtually.

**ANNOUNCEMENTS:** Chairman Tate announced that he is a University of Georgia alumnus and was in Indianapolis for last night's college football national championship game. Per a "gentleman's" bet with Mr. Roland, Chairman Tate handed Mr. Roland a Georgia Bulldogs hat and asked that Mr. Roland wear it during tonight's meeting. Mr. Roland obliged.

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

**PLEDGE TO THE FLAG:** Led by Mr. Roland, the pledge to the flag was recited.

**PUBLIC HEARING(S):** None

**PUBLIC COMMENT PERIOD:** **Marshall Platt** inquired about the purpose of the Robert C. Carpenter Community Building and stated that he had requested use of the space and was unable to use the facility. Mr. Platt also asked about the agenda item referencing Recreation Commission appointees in regard to how those vacancies are announced and the application process used to fill them. Mr. Roland informed Mr. Platt that the appointments was an item that Recreation Director Seth Adams had been working on for some time, but that he could give Mr. Platt an application. Commissioner Young confirmed the Recreation Commission meetings are open to the public and encouraged Mr. Platt to attend. Mr. Platt shared that he had had several conversations with Mr. Adams as recently as today and that each time he had requested use of the facility he was denied. He questioned whether the facility was for the purpose of building community or a way to raise revenue for special interests such as the chamber of commerce or gun shows. Mr. Platt said his request was to use the gym for folk dancing instead of the facility's multi-purpose room. He said the policy currently is that only tennis shoes are allowed on the floor. Chairman Tate and Commissioner Young both responded that the purpose was to protect



the gym floor surface from damage. Mr. Platt said the dancers wear a soft rubber-soled shoe which will not mark or damage the flooring and explained the safety issues which prevent the dancers from wearing tennis shoes. Commissioner Beale suggested Mr. Platt look at the option of using Cowee School instead. Mr. Roland suggested Mr. Platt present the request to the Recreation Commission once it is up and running. He also reminded Mr. Platt of their meeting scheduled for Thursday (January 13) in which they could have further discussion.

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

- To remove the by-laws for the Recreation Commission from the Consent Agenda. This item was not listed and there should not be an understanding implied that those would be approved tonight. Mr. Ridenour will review those and bring them back for approval and adoption, per Mr. Roland.
- To add a closed session with no action to follow, per Commissioner Beale.

**REPORTS/PRESENTATIONS** – None.

**Economic Development Administration Grant Application and Request for Matching Funds** – Bob McCollum and Elaine Eisenbraun from the Nikwasi Initiative appeared before the board again to continue discussing a proposed economic development administration grant application and a request for county funding. Mr. McCollum began by introducing Juanita Wilson from the Eastern Band of Cherokee Indians and then proceeded to provide an update on the grant application discussed at the December 14, 2021 regular meeting, and provided some artists' renderings of the proposed project. Mr. McCollum stated that the Eastern Band Tribal Council had approved to support what was needed for the grant application. He said Principal Chief Richard Sneed is not able to specify a dollar amount at this time, but they have shared a willingness to offer, at a minimum, the value of the building, which is approximately \$300,000. Mr. McCollum stated that the initiative is still asking for \$100,000 from the county, which is 1.7 percent of the requested \$5-million grant. Commissioner Beale referenced a meeting held on Friday (January 7) with the stakeholders and said there are still many decisions that have to be made. Ms. Eisenbraun stated the funding is on a rolling cycle and that the Economic Development Administration (EDA) has indicated they have already received more applications than they have funding. She said the EDA has communicated that they like the partnership Nikwasi has with the EBCI on this project and has encouraged them to get the application in within the next two weeks. After considerable discussion, Commissioner Shields made a motion to obligate the \$100,000 pending the \$5-million grant award. The motion did not receive a second and therefore died.

Minutes

1.11.22

Page 2 of 5

After continued discussion, Commissioner Beale made a motion, seconded by Commissioner Shields, to obligate a \$100,000 grant match on the EDA ARPA Grant, along with a budget amendment for the monies to come from fund balance, contingent upon a satisfactory show of support from the EBCI, Mainspring and the Town of Franklin. The motion included having Mr. Roland distribute letters to board members asking for a simple yea or nay, which would be ratified at the next meeting. The motion passed 3-2 with Chairman Tate, Commission Beale and Commissioner Shields voting in favor and Commission Young and Commissioner Higdon opposing.

**Consideration for Bond Agreement for Gemstone Village Development** – Mr. Roland presented the information on the proposed bond agreement for Gemstone Village in County Planner Joe Allen’s absence. He explained that in accordance with the county’s subdivision ordinance, the sub-divider is required to get a performance guarantee through a surety bond, letter of credit, or any other form of guarantee in the amount of 125 percent of the development cost. Mr. Roland referenced the agreement documents [Attachments 1 and 2, respectively] indicating that Phase I will include a \$617,119 performance bond as stated in Exhibit B of the agreement and Phase III, Section 1 of the development will include a performance bond in the amount of \$189,185. Joanne Snider informed the board that Gemstone Village is a retirement village for residents over the age of 55, located on Prentiss Bridge Road at the location of the old Teague Dairy. She indicated that Phase I will have 37 sites for manufactured housing and Phase III, Section 1 will consist of 18 town homes – single story duplexes. Ms. Snider stated she plans to put up certified checks for both of the amounts quoted as opposed to performance bonds. Commissioner Beale made a motion, seconded by Commissioner Young, to approve the agreement for Phase I in the amount of \$617,119 and the vote was unanimous. Commissioner Beale then made a motion, seconded by Commissioner Young, to approve the agreement for Phase III, Section 1, in the amount of \$189,185, and the vote was unanimous.

**Appointments for Planning and Inspections Positions** – Mr. Roland stated that with the retirement of Planning, Permitting and Development Director Jack Morgan, there was a need to make some appointments in order to stay in compliance with state and local laws. He again noted that Joe Allen was not able to be at the meeting tonight. Mr. Roland requested authorization for the appointment of Joe Allen as the Ordinance Administrator. Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to authorize the appointment as requested. Mr. Roland then requested authorization of the appointment of Bobby Bishop as the Building Codes Administrator. Upon a motion by Commissioner Shields, seconded by Commissioner Beale, the board voted unanimously to authorize the appointment as requested. Mr. Roland explained that the previous Planning, Permitting and



Development Director position had been dissolved and that a Fire Inspector III/Code Enforcement Officer I position would be created.

**Schedule Public Hearings on Revisions to the Telecommunications Ordinance and the Airport Hazard Ordinance for the February 8, 2022 Regular Meeting** – As requested by Mr. Ridenour, and upon a motion by Commissioner Higdon, seconded by Commissioner Young, the board voted unanimously to schedule public hearings on the revised Telecommunications Ordinance and the Airport Hazard Ordinance for the February 8, 2022 regular meeting.

**Schedule date for Mid-Year Budget Review Session** – Mr. Roland proposed a meeting date of February 3, 2022 at 1:00 p.m. for a budget review session with lunch to be provided prior to the meeting. No action was necessary at this time.

**CONSENT AGENDA:** Upon a motion by Commissioner Higdon, seconded by Commissioner Beale, the board voted unanimously to approve the consent agenda as presented, which includes the following: (A) Minutes of the December 14, 2021 regular meeting, (B) Budget Amendments #116-128, (C) Tax releases for the month of December 2021 in the amount of \$1,782.16, and (D) the monthly ad valorem tax collection report, for which no action is necessary.

**APPOINTMENTS:**

- (A) Recreation Commission (5 seats) – Upon a motion by Commissioner Young, seconded by Commissioner Shields, the board voted unanimously to appoint Jay Brooks, Timothy Crabtree, David Culpepper, Karen Townsend and Jeffrey Weller to the Macon County Recreation Commission. Term of appointment will be for four years, per the draft by-laws.
- (B) Board of Health (1 seat) – Upon a motion by Commissioner Higdon, seconded by Commissioner Young, the board voted to appoint Jennifer Knoepp to fill a general public slot on the Macon County Board of Health. Term of appointment is for three years.
- (C) Library Board (1 seat) – Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to appoint Linda Tyler to the Macon County Public Library Board of Trustees. Term of appointment is for three years.
- (D) Economic Development Commission (3 seats) – Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to reappoint Roger Plemens, Mark West and Cory McCall to the Macon County Economic Development Commission (EDC). Term of appointment is for three years.
- (E) Community Funding Pool Committee – Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously

to reappoint Andrea Anderson, Patrick Betancourt, Bobbie Contino, Diane Cotton, Kyle Garner, Bonnie Potts, Karen Stiwinter, Karen Wallace and Rick Westerman to the Community Funding Pool Team, and to appoint new member Jennifer Jenkins, all for three year terms.

- (F) Board of Equalization and Review (5 seats) – Upon a motion by Commissioner Young, seconded by Commissioner Higdon, the board voted unanimously to reappoint Dwight Vinson, Donald Holland, Gary Drake, Kristine Flaig and Richard Lightner to the Macon County Board of Equalization and Review. Term of appointment is for one year.
- (G) Community Advisory Committee (4 seats) – The board members were made aware of four vacancies on the Community Advisory Committee, and notice of those vacancies will be posted on the county’s website. No action was taken.

**CLOSED SESSION** – At 7:56 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to go into closed session as allowed under NCGS 143-318.11(a)(5) to discuss potential property acquisition with a plan to take no action following the closed session. At 8:10 p.m., upon a motion by Commissioner Young, seconded by Commissioner Higdon, the board voted unanimously to come out of closed session and return to open session. No action was taken.

**RECESS:** At 8:10 p.m., upon a motion from Commissioner Higdon, seconded by Commissioner Young, the board voted unanimously to recess until Thursday, February 3, 2022 at 1:00 p.m. in the commission boardroom on the third floor of the Macon County Courthouse.

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Derek Roland  
Ex Officio Clerk to the Board

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Jim Tate  
Board Chair



MACON COUNTY BUDGET AMENDMENT  
AMENDMENT # 143

DEPARTMENT: HEALTH

EXPLANATION: Received monies from Fair Food Network to help with the DUFB's Program.  
Need to increase budget in expenditures and revenue.

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
115128-555126	MountainWise Services	3,100	
113511-484000	Contributions/MountainWise	3,100	

REQUESTED BY DEPARTMENT HEAD Karen M. Hall

RECOMMENDED BY FINANCE OFFICER Laura Coyle

APPROVED BY COUNTY MANAGER \_\_\_\_\_

ACTION BY BOARD OF COMMISSIONERS 2/8/2022

APPROVED AND ENTERED ON MINUTES DATED \_\_\_\_\_

CLERK \_\_\_\_\_

MACON COUNTY BUDGET AMENDMENT  
AMENDMENT # 144

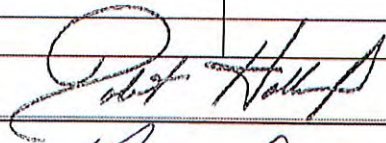
FROM: Lindsay Leopard

DEPARTMENT: Sheriff's Office

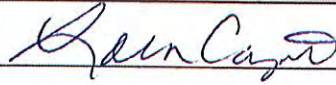
EXPLANATION: Donations received for officer meals in FY 2021.

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
113840-417900	Fund Balance Appropriated	\$1,000.00	
114310-568300	Meals	\$1,000.00	

REQUESTED BY DEPARTMENT HEAD

  
\_\_\_\_\_

RECOMMENDED BY FINANCE OFFICER

  
\_\_\_\_\_

APPROVED BY COUNTY MANAGER

\_\_\_\_\_

ACTION BY BOARD OF COMMISSIONERS

2/8/2022

APPROVED AND ENTERED ON MINUTES DATED

\_\_\_\_\_

CLERK

\_\_\_\_\_



















MACON COUNTY BUDGET AMENDMENT  
 AMENDMENT # 150

FROM: Nick

DEPARTMENT: 6120

EXPLANATION: Moving money for the Rec Park playground - insurance adjustment money.

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
116120-569502	CAPITAL EQUIPMENT	\$4124.00	
113839-485000	INSURANCE	\$4124.00	

REQUESTED BY DEPARTMENT HEAD *[Signature]*  
 RECOMMENDED BY FINANCE OFFICER *[Signature]*  
 APPROVED BY COUNTY MANAGER \_\_\_\_\_  
 ACTION BY BOARD OF COMMISSIONERS 2/8/2022  
 APPROVED AND ENTERED ON MINUTES DATED \_\_\_\_\_  
 CLERK \_\_\_\_\_

MACON COUNTY BUDGET AMENDMENT  
 AMENDMENT # 151

FROM: FINANCE

DEPARTMENT: TRANSIT

EXPLANATION: CARES ACT Disbursement #4

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
11-3570-4457-15	CARES ACT NCDOT 20.509	\$ 169,215.00	
114939-550001	SALARY	\$ 30,000.00	
114939-550002	PART-TIME SALARY	\$ 15,000.00	
114939-550201	MEDICARE/FICA	\$ 3,000.00	
114939-550203	HOSPITALIZATION	\$ 5,000.00	
114939-550206	LIFE INSURANCE	\$ 150.00	
114939-550207	RETIREMENT	\$ 2,000.00	
114939-550701	COUNTY 401K	\$ 1,000.00	
114939-555106	CONTRACTED SERVICES	\$ 13,065.00	
114939-556011	OPERATING SUPPLIES	\$ 5,000.00	
114939-556502	GASOLINE/FUEL	\$ 5,000.00	
114939-556503	VEHICLE REPAIRS & MAINTENANCE	\$ 10,000.00	
114939-556009	UNIFORMS	\$ 5,000.00	
114939-556005	COMPUTER SUPPLIES	\$ 75,000.00	

REQUESTED BY DEPARTMENT HEAD: *Richard Allen*

RECOMMENDED BY FINANCE OFFICER: *Adam Cayton*

APPROVED BY COUNTY MANAGER: \_\_\_\_\_

ACTION BY BOARD OF COMMISSIONERS: 2/8/2022

APPROVED AND ENTERED ON MUNIS DATED: \_\_\_\_\_

CLERK: \_\_\_\_\_



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



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

TO: MACON COUNTY COMMISSIONERS

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

DATE: February, 2022

RE: Releases for January, 2022

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

AMOUNT OF RELEASES FOR JANUARY 2022: \$ 3,337.99



RELEASES REPORT  
Macon County

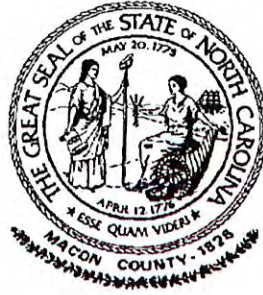
NAME	BILL NUMBER	OPER	DATE/TIME	DISTRICT	VALUE	AMOUNT
HIGHLANDS CASHIERS HOSPITAL	2021-54029	DLR	12/31/9999 4:02:09 PM			
				G01 PEN FEE	0.00	763.58
				F10 PEN FEE	0.00	57.27
				TOTAL RELEASES:		820.85 ✓
PARRISH, LESCAR A	2021-51559	ZAD	12/31/9999 3:52:34 PM			
				F03 ADVL TAX	3,117.00	3.12
				G01 ADVL TAX	3,117.00	12.47
				TOTAL RELEASES:		15.59 ✓
THE BIRCHES OF WILDCAT CLIFFS	2021-102394	ZAD	12/31/9999 4:43:18 PM			
				G01 ADVL TAX	149,900.00	600.00
				F10 ADVL TAX	149,900.00	45.00
				TOTAL RELEASES:		645.00 ✓
THE BIRCHES OF WILDCAT CLIFFS	2021-102361	ZAD	12/31/9999 4:45:14 PM			
				G01 ADVL TAX	324,680.00	1,299.12
				F10 ADVL TAX	324,680.00	97.43
				TOTAL RELEASES:		1,396.55 ✓
THE BIRCHES OF WILDCAT CLIFFS	2021-102395	ZAD	12/31/9999 4:44:06 PM			
				G01 ADVL TAX	99,900.00	400.00
				F10 ADVL TAX	99,900.00	30.00
				TOTAL RELEASES:		430.00 ✓
THE BIRCHES OF WILDCAT CLIFFS	2021-102520	ZAD	12/31/9999 4:42:14 PM			
				F10 ADVL TAX	99,900.00	30.00
				TOTAL RELEASES:		30.00 ✓
NET RELEASES PRINTED:	3,337.99					
TOTAL TAXES RELEASED						3,337.99

RELEASES REPORT  
Macon County

G01 ADULT TAX - GENERAL COUNTY TAX										
TAX YEAR	RATE YEAR	REAL VALUE RELEASED	PERS VALUE RELEASED	TOTAL VALUE RELEASED	REAL TAX RELEASED	PERS TAX RELEASED	MV VALUE RELEASED	MV TAXES RELEASED	TOTAL VALUE RELEASED	TOTAL TAXES RELEASED
2021	2021	574,480	3,117	577,597	2,299.12	776.05	0	0.00	577,597	3,075.17
DIST TOTAL		574,480	3,117	577,597	2,299.12	776.05	0	0.00	577,597	3,075.17
F03 ADULT TAX - OTTO FIRE DISTRICT TAX										
TAX YEAR	RATE YEAR	REAL VALUE RELEASED	PERS VALUE RELEASED	TOTAL VALUE RELEASED	REAL TAX RELEASED	PERS TAX RELEASED	MV VALUE RELEASED	MV TAXES RELEASED	TOTAL VALUE RELEASED	TOTAL TAXES RELEASED
2021	2021	0	3,117	3,117	0.00	3.12	0	0.00	3,117	3.12
DIST TOTAL		0	3,117	3,117	0.00	3.12	0	0.00	3,117	3.12
F10 ADULT TAX - HIGHLANDS FIRE DISTRICT TAX										
TAX YEAR	RATE YEAR	REAL VALUE RELEASED	PERS VALUE RELEASED	TOTAL VALUE RELEASED	REAL TAX RELEASED	PERS TAX RELEASED	MV VALUE RELEASED	MV TAXES RELEASED	TOTAL VALUE RELEASED	TOTAL TAXES RELEASED
2021	2021	674,380	0	674,380	202.43	57.27	0	0.00	674,380	259.70
DIST TOTAL		674,380	0	674,380	202.43	57.27	0	0.00	674,380	259.70
GRAND TOTALS:		1,248,860	6,234	1,255,094	2,501.55	836.44	0	0.00	1,255,094	3,337.99



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



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

TO: MACON COUNTY COMMISSIONERS

FROM: Macon County Tax Office  
Delena Raby, Tax Collections Supervisor

DATE: February 03, 2022

RE: N.C.G.S. §105-369

North Carolina General Statute §105-369 states “ In February of each year, the tax collector must report to the governing body the total amount of unpaid taxes for the current fiscal year that are liens on real property.” The statute continues by stating “Upon receipt of the report, the governing body must order the tax collector to advertise the tax liens.”

This is a request for the Macon County Commissioners to order the tax office, per this statute, to collect any unpaid taxes owed to Macon County. Currently our collection rate is 93.83%, which is an increase over the collection rate of 93.68 %, at this time last year. However, there is still a balance of \$ 2,400,647.93 outstanding. Enforced collections will be utilized to collect as much of that outstanding amount as possible.

Notices regarding this process will be sent to all taxpayers who have a delinquent tax account. They will have thirty (30) days to respond before the actual advertising of liens is published.

Thank you and please contact me if you should have any questions.

Respectfully,

Delena Raby  
Tax Collections Supervisor



**Macon County**  
**Advalorem Tax Collections Report**  
**Year To Date January 2022 Tax Year 2021**

**TAX YEAR 2021 Year To Date January 2022 Tax Year 2021**

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 2021 As of 1/31/2022	Last Year Collection Percentage Tax Year 2020 As of 1/31/2021
General Tax	0.00	31,719,572.18	-23,783.67	0.00	-1206.47	31,694,582.04	-29,823,501.22	1,871,080.82	94.10%	93.94
Fire Districts	0.00	4,249,633.80	-2,771.97	0.00	-177.56	4,246,684.27	-3,980,418.75	266,265.52	93.73%	93.48
Landfill User Fee	0.00	2,992,222.00	-48,397.70	0.00	-11.07	2,943,813.23	-2,680,511.64	263,301.59	91.06%	91.40
<b>TOTAL:</b>	<b>0.00</b>	<b>38,961,427.98</b>	<b>-74,953.34</b>	<b>0.00</b>	<b>-1395.10</b>	<b>38,885,079.54</b>	<b>-36,484,431.61</b>	<b>2,400,647.93</b>	<b>93.83%</b>	<b>93.68</b>