

**MACON COUNTY BOARD OF COMMISSIONERS**  
**APRIL 9, 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:** There were no announcements.

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

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

**PUBLIC HEARING ON ROAD NAMES:** Chairman Tate called the public hearing to order at 6:02 p.m. and stated the reason for the hearing, which is to receive public comment on proposed names for new roads, to assign a range of road numbers in connection with the same, to consider requests for road name changes and to consider a change of range of numbers for certain roads. Chairman Tate recognized Angie Kinsland, the county's 911 Addressing Coordinator, who told the board that all of the necessary posting requirements had been met and asked that all of the proposed changes be approved. The County Attorney told the board that he had prepared a proposed amendment to the county's road naming and numbering system ordinance for the board's consideration. No one signed up to speak, and no one had any comments to offer following Chairman Tate's invitation to speak. Following additional comments from the County Attorney, Chairman Tate closed the public hearing at 6:04 p.m. Commissioner Beale made a motion to approve the road name and number changes as presented and to approve the amendment to the ordinance. Commissioner Shields seconded the motion, and the board voted unanimously to approve the "April 9, 2019 Amendment to Macon County Road Naming and Numbering System Ordinance Heretofore Codified as Chapter 14 of the Macon County Code," a copy of which is attached **(Attachment 1)** and is hereby made a part of these minutes.

**PUBLIC COMMENT PERIOD:** **Ken Murphy** told the board that he has a home near Nantahala Lake and that he was speaking on behalf of the members of multiple homeowners associations to ask for increased funding for the Macon County Sheriff's Office to provide an "increased presence" in the Nantahala area. He said that he "wholeheartedly" endorsed this and thanked the board for considering it. **John deVile** told the board he was "here to explain why teachers will be marching again this May," and gave specific reasons, including the need for more librarians and counselors in schools, a "living wage" of \$15 per hour for all school personnel, the reinstatement of health benefits to help with teacher recruitment and the restoration of compensation for advanced degrees. Mr. deVile also voiced his opposition to proposed legislation that would provide \$400 to every teacher to spend on school supplies, saying it was "robbing Peter to pay Paul" and takes away the financial advantage of buying in bulk. He also talked about the percentage of each county's population that did not have health insurance and said the state should "opt-in" on Medicaid. Commissioner Beale commented that Medicaid expansion "is a must in our state."

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

- To move Item 11A, "County approval to partner on Interact communications venue," to the next item on the agenda, per Chairman Tate.
- To add a new item under Old Business as Item 10C to schedule a date for a public hearing on the comprehensive plan, per the County Manager.
- To add a new item under New Business as Item 11F for a report and a request to the board regarding Gillespie Chapel, per Commissioner Beale.
- To add an additional item under the existing Item 9A under Reports/Presentations to allow the Interim Health Director to discuss the consolidated agreement with the state, per the County Manager.
- To add a report on recent planning board meetings as Item 9C under Reports/Presentations, per Commissioner Gillespie.
- To add approval of the application for lottery funds as the new Item 11G under New Business, per the Finance Director.
- The County Attorney noted the need for a closed session for the purpose of discussing the acquisition of real property.

**INTERLOCAL AGREEMENT WITH TOWN OF HIGHLANDS:** Highlands Police Chief Bill Harrell told the board he was presenting an opportunity for the Town of Highlands to partner with the county regarding a computer-aided dispatch or CAD system, similar to one used by the Town of Franklin. Following further

discussion with the board and the county attorney, Commissioner Gillespie made a motion to move forward with an interlocal agreement between the town and the county regarding this item, pending final approval from the town's attorney and the County Attorney. Commissioner Beale seconded the motion, and it was unanimously approved.

**PUBLIC HEALTH GRANT:** Interim Public Health Director Carmine Rocco told the board about a grant request to the state office of rural health for funds for a school based health center, and reported that Macon County was awarded a one-year \$150,000 grant. The grant will be used to establish a center at South Macon Elementary School and provide funding for behavioral health specialists in an "intensive approach." Macon County Schools Superintendent Dr. Chris Baldwin told the board that suicide is the second leading cause of death among those 10 to 18 years of age. No action was necessary.

**PUBLIC HEALTH CONSOLIDATED AGREEMENT:** Mr. Rocco requested the board's approval of a consolidated agreement with the state for the health department, which he said provides guidance on how to operate and what is expected in return for receipt of state funds. He said the document will cover a period from July 1, 2019 to June 30, 2020, and noted it was due on April 15 and asked for the board's approval and the subsequent signature from Chairman Tate. Upon a motion by Commissioner Shields, seconded by Commissioner Beale, the board voted unanimously to approve the request as presented.

**MIGHTY OAK AWARD:** The County Manager announced that Macon County Public Health was the recipient of the 2019 Mighty Oak Award in recognition of the department's handling of a meningitis outbreak. Mr. Rocco explained there was one confirmed case, one suspected case, and that 250 people were treated. He said "all the credit goes to staff" who went above and beyond. No action was necessary.

**PLANNING BOARD UPDATE:** Commissioner Gillespie, the board's liaison to the Macon County Planning Board, said that the first community meeting has taken place (which was held in Nantahala) and that he and Commissioner Higdon attended. Commissioner Gillespie described it as "one of the best public meetings I've been to," and after listening and taking notes, "We've got a lot of wheels in motion to address the issues" that were raised there. He added that this meeting set a high bar for the other community meetings to come. No action was necessary.

**COURTHOUSE SECURITY PROJECT UPDATE:** Sheriff Robert Holland presented a courthouse security proposal that covers the remainder of the current fiscal year and Fiscal Year 2019-20. A copy of the proposal is attached

(Attachment 2) and is hereby made a part of these minutes. The proposal covers increased personnel, equipment (X-Ray machines and metal detectors) as well as other computer and security equipment. The total proposed cost increase for the current fiscal year is \$167,970. The cost of additional personnel made up the majority of the anticipated \$406,952 budget increase for Fiscal Year 2019-20. During the lengthy discussion on this topic, Sheriff Holland pointed out that Macon's will be the only courthouse between here and Asheville with two entrances – one on the West Main Street level and the other from the courthouse parking lot off of Church Street, which will require three courthouse security personnel at each location. Also, he said that some 50,000 people come into the courthouse to use the judicial system, as there were 248 sessions of court in the past year. There was much discussion regarding the implementation timeline and cost for the new security measures. Commissioner Beale made a motion to fund the cost of the X-Ray machines, metal detectors and the computer/security equipment at a cost of \$82,502, with the money to come from the general fund fund balance. Commissioner Shields seconded the motion, and there was additional discussion. The board voted 4-1 to approve the motion, with Commissioner Gillespie opposing, who stated he felt the expenditure should have gone through the normal budget process.

**DOG PARK PROJECT UPDATE:** Parks and Recreation Director Seth Adams provided the board with an estimate to create a dog park at a location on Phillips Street in Franklin. With grading costs estimated at \$15,000 to \$20,000, plus bathroom facilities, fencing and gates, watering stations, dog waste stations and benches, the sub-total came to \$83,196. A 15 percent project contingency brought the total to \$95,675, and then additional items (a basic irrigation system and paving of the parking lot) brought the final number to \$111,457. A lengthy discussion ensued. Commissioner Beale made a motion to approve the project with the amount not to exceed \$111,457. Commissioner Shields seconded the motion. The board voted 3-2 to approve the project, with Commissioners Gillespie and Higdon opposing. The money will be taken from the county's general fund fund balance. A copy of the estimate is attached (Attachment 3) and is hereby made a part of these minutes.

**PUBLIC HEARING ON COMPREHENSIVE PLAN:** Following discussion, the County Manager told the board that he would schedule a public hearing on the proposed update to the county's comprehensive plan for the board's May 14, 2019 regular meeting. No vote was necessary.

**INTERLOCAL AGREEMENT REGARDING SATULAH RADIO COMMUNICATIONS SITE:** The County Attorney had prepared documents regarding the cooperative arrangement between the Town of Highlands and

Macon County with regard to radio communications opportunities for each on what is known locally as the Satulah Radio Communications Site. Emergency Services Director Warren Cabe explained that the town owns the property, the county owns the tower and there is shared equipment located on the tower. The plan is to add a 10-foot section to the tower, which the town would use for its broadband project, and he requested approval of the interlocal agreement prepared by the County Attorney. Following questions from the board, and upon a motion by Commissioner Higdon, seconded by Commissioner Beale, the board voted unanimously to approve a “Resolution Concerning Approval of the Entry and Execution of the Interlocal Agreement Concerning Cooperation and Joint Use of the Satulah Radio Communications Site.” Copies of the resolution and the accompanying interlocal agreement are attached (Attachments 4 and 5) and are hereby made a part of these minutes.

**OCCUPANCY TAX PENALTY WAIVER:** Michael and Kristin Keopenick made a request of the board via a letter to have occupancy tax penalties waived by the board, with Chairman Tate noting that “this is getting to be a common occurrence.” The Finance Director noted that the Keopenicks owed \$5,740.22 in late fees, but that the board does have the ability to compromise for good cause shown. Following discussion, and upon a motion by Commissioner Beale, seconded by Commissioner Gillespie, the board voted unanimously to agree with the Keopenicks’ proposal to pay “a more modest late fee of \$250,” with the board waiving the remaining balance. A copy of the letter from the Keopenicks is attached (Attachment 6) and is hereby made a part of these minutes.

**RESOLUTION EXEMPTING ENGINEERING SERVICES:** The County Attorney had prepared a resolution for the board’s consideration that would exempt the engineering services project for leachate system improvements at the landfill from the provisions of state statutes, as the estimated professional fee is less than \$50,000. Solid Waste Director Chris Stahl said this would allow the county to make improvements to the system that serves all three landfill cells, and noted that the proposed engineering fee is \$48,300. Following questions about the process and where the funds to pay for this would come from, upon a motion by Commissioner Higdon, seconded by Commissioner Shields, the board voted unanimously to approve a “Resolution Exempting Engineering Services Project for Leachate System Improvements in Connection With the Macon County Landfill in Franklin, North Carolina, from the Provisions of Article 3D of Chapter 143 of the North Carolina General Statutes,” a copy of which is attached (Attachment 7) and is hereby made a part of these minutes.

Chairman Tate declared a recess at 7:47 p.m.

Chairman Tate called the meeting back to order at 7:57 p.m.

**APPLICATION FOR LOTTERY FUNDS:** Following an explanation by the Finance Director, and upon a motion by Commissioner Gillespie, seconded by Commissioner Shields, the board voted unanimously to approve an application to the Public School Building Capital Fund of the North Carolina Education Lottery to draw down \$311,893.72 in funds for Macon County. A copy of the application is attached (Attachment 8) and is hereby made a part of these minutes.

**APPOINTMENTS: (A) Library Board:** Upon a motion by Commissioner Higdon, seconded by Commissioner Gillespie, the board voted unanimously to appoint Debbie Tallent to the Macon County Library Board of Trustees, replacing Kathy Tinsley. The term of appointment is for three years.

**CONSENT AGENDA:** Upon a motion by Commissioner Gillespie, seconded by Commissioner Higdon, the board voted unanimously to approve the items on the consent agenda as follows: the minutes of the March 12, 2019 regular meeting and the March 19, 2019 called meeting; the following budget amendments: #174 for the Department of Social Services to allocate \$2,175 in additional funding for a MIPPA grant; #175 for the Sheriff's Department to appropriate funds from donations for Macon County Safe Kids in the amount of \$3,900 and from K9 donations in the amount of \$2,006; #176 for the Solid Waste Department to appropriate \$1,000 from an insurance settlement; #177 for the Health Department/Animal Control to appropriate \$1,315 in proceeds received from insurance settlements; #178 for the Health Department to appropriate \$1,914 from the Highlands Police Department to prepay for six "Rabivert vaccines at \$319 each; #179 for the Health Department to appropriate \$1,810 in surplus employee health revenue to be used to supplement the lab contracted services line item to buffer an increase in LabCorp expenses; #180 for the Health Department to receive \$27,000 in funding for startup expenses for the ECU Telepsych Grant (copies of the amendments are attached); tax releases for the month of March in the amount of \$38.04; a "Resolution Authorizing Participation in the North Carolina Health Insurance Pool" and an "Interlocal Agreement for a Group Self-Insurance Pool for Benefit Risk Sharing," copies of which are attached; and the monthly ad valorem tax collections report (no action necessary).

**CONVENIENCE CENTER ATTENDANT PAY:** Mr. Stahl presented information in support of an increase in the hourly pay rate for the county's part-time recycling convenience center staff. He explained his methodology and presented the board with four options. Currently, these employees combine to work 30,700 hours per year to keep the centers open and make an average of \$8.60 per hour. Mr. Stahl's options would increase that rate of pay to an average of \$9.59 per hour at a minimum or \$10.66 per hour at a maximum. A

copy of his memo to the County Manager is attached (Attachment 9) and is hereby made a part of these minutes. Following a lengthy discussion, the general consensus of the board was to consider one of the options for inclusion in the upcoming budget. No action was taken.

**GILLESPIE CHAPEL REQUEST:** Commissioner Beale handed out copies of a request from the Upper Cartoogechaye Community Club seeking assistance to help fund repairs to the club's meeting location, Gillespie Chapel, which was built in 1875. Commissioner Beale cited the board's prior efforts to assist other community clubs with repairs/updates to their meeting locations, and went over a list of needed repairs. The estimated cost of the repairs is \$37,440, and the club was asking the county for half, or \$18,720. The Finance Director said there is more than \$60,000 left in the board's contingency line item, and the County Attorney suggested the board have a recreation agreement with the club similar to others that are in place. Following discussion, and upon a motion by Commissioner Gillespie, seconded by Commissioner Beale, the board voted unanimously to approve the request as presented, with the \$18,720 to come from contingency and the County Attorney to prepare the necessary agreement.

**CLOSED SESSION:** Upon a motion by Commissioner Gillespie, seconded by Commissioner Beale, the board voted unanimously to go into closed session at 8:27 p.m. for the purpose of discussing potential property acquisition under NCGS 143-318.11(a)(5). At 9:02 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. No action was taken.

**ADJOURN:** With no other business, at 9:03 p.m., upon a motion by Commissioner Higdon, seconded by Commissioner Beale, the board voted unanimously to adjourn.

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Derek Roland  
Ex Officio Clerk to the Board

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Jim Tate  
Board Chairman