

MACON COUNTY BOARD OF COMMISSIONERS
APRIL 14, 2020
MINUTES

Chairman Tate called the meeting to order at 6:00 p.m. Due to Gov. Roy Cooper's Executive Order limiting the number of people at a mass gathering to 10 due to COVID-19, physical participation at the meeting in the boardroom was limited to that number. All five commissioners were physically present and practiced social distancing. County Manager Derek Roland was also present. Deputy Clerk Mike Decker and Finance Director Lori Carpenter watched the meeting via live stream, and County Attorney Chester Jones participated via telephone. A reduced number of members of the media were allowed to attend.

ANNOUNCEMENTS: Chairman Tate provided an overview of the process to be followed for conducting the meeting.

PUBLIC COMMENT PERIOD: Due to COVID-19, the public comment period was conducted via telephone. **David Hurd** spoke on what he referred to as the "Second Amendment proposition." Referring to the board's action at its March 10, 2020 regular meeting, he said the board members did not listen and did not act according to their words when they adopted a resolution regarding the Second Amendment. Mr. Hurd and many others had supported a different resolution, and he noted some of the commissioners had said they would support that version, which he also noted the board had asked for. "You reneged on it," he said, adding that the board instead approved one written by Mr. Jones which has "many words without saying anything."

ADDITIONS, ADJUSTMENTS TO AND APPROVAL OF THE AGENDA: Upon a motion by Commissioner Gillespie, seconded by Commissioner Beale, the board voted unanimously to approve the agenda.

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

PLEDGE TO THE FLAG: Led by Commissioner Shields, the pledge to the flag was recited. Following the pledge, Commissioner Beale noted the death of Bryant Holland, who served as Chief Deputy under Sheriff Homer Holbrooks.

SMALL BUSINESS ADMINISTRATION (SBA) PAYCHECK PROTECTION PROGRAM: Macon County Economic Development Director Tommy Jenkins gave the board an overview of the Paycheck Protection Program, which is designed to provide economic development assistance under the CARES Act, which is the \$2-trillion federal legislative package to address COVID-19. Mr. Jenkins said that some \$349 billion has been earmarked to help small businesses retain employees by helping with matters such as payroll and other expenses, and explained there are some instances where the loan funds are fully forgivable. He said the funds will go out through approved lenders, not the Small Business Administration (SBA), and noted there have been “some hiccups in the program,” but the SBA has tweaked the rules over the past month. He said he had spoken with several lenders, who are processing the loans as fast as possible, and he urged local businesses seeking those funds to continue to work with the lenders and to “stay in line.” He also provided the board with a brief overview of other assistance programs available to small businesses, noting that we are all in “uncharted waters.” The discussion then turned to unemployment, with Mr. Jenkins noting that, as to the numbers, “it is not gonna be pretty.” This was followed by discussion of the administration of producing unemployment checks, with Mr. Jenkins saying that “the system wasn’t built to handle this demand.” Commissioner Shields raised the question of what COVID-19 has done to impact the taking of the 2020 Census, which led to more discussion on that topic. In conclusion, Mr. Jenkins encouraged small businesses that need assistance to apply for funding help and to be patient. No action was necessary.

UPDATE ON COUNTY’S COVID-19 RESPONSE:

Emergency Management: Emergency Management Director Warren Cabe updated the board not only on his agency’s COVID-19 response but also on the severe weather that affected the area on April 12th. On the COVID-19 front, he said he had activated a virtual Emergency Operations Center (EOC) with involvement from various stakeholders, noting they cannot all be in one room together. An Unmet Needs Committee has been formed, and Mr. Cabe said feeding coordination has been assigned to CareNet with help from five volunteer fire departments. He said that a plan has been developed to use the former National Guard Armory for medical sheltering, an alternative care site or any other related function as needed. Emergency Management has coordinated with both hospitals in the county for medical surge planning, is processing resource requests for various agencies, has developed a plan for non-congregate sheltering with local motels if needed, and has developed a contingency plan for morgue operations for an unexpectedly high number of deaths if the need arises. Mr. Cabe also told the board he has reviewed the regulations imposed in connection with COVID-19 for effectiveness and will make changes as necessary. He said the screening process at the Macon County Airport was not as effective as it

could be and would be changed tomorrow. He said his department has worked with Macon County Public Health staff to provide education to the public. In wrapping up this part of his report, he noted that EMS responses are increasing in number but are still not quite back to what would be a normal level for this time of year, and that 9-1-1 telecommunicators are conducting extra screenings and relaying pertinent information to responders.

In the second part of his presentation, Mr. Cabe said that severe weather on Sunday night (April 12) into Monday morning, including high water, high winds and debris flows or slope failures, caused damage across the county. While the damage assessment is ongoing, he provided the board with a snapshot of the aftermath. There were no injuries or fatalities reported, but two residential structures suffered major damage from debris flows, while two others suffered minor damage from debris flows. Six commercial structures suffered major damage by high water, and four residential structures suffered minor damage by high water. A total of 12 electrical services suffered major damages by high winds, and more than 4,000 customers were without power Monday morning. Mr. Cabe reported that numerous private roads, culverts or bridges were damaged or adversely affected by high water, and 16 people had to be evacuated from an area affected by a debris flow, while three others were evacuated from an area affected by high water. He added that five people are still being sheltered at a local hotel and the American Red Cross is assisting them. Overall, he said there were 11 minor to major debris flows or slope failures reported in the county, and a team of geologists from the North Carolina Geological Survey is conducting safety assessments. He said the National Weather Service will be providing the county with detailed rain event information, and he said it is believed that eight to 10 inches of rain fell in some areas during the storm, with reports of four to six inches in others. He told the board that one of the debris flows, located off of Parker Farms Road, displaced an amount of material comparable to the amount displaced in the Peeks Creek Community back in 2004, and stopped five feet away from some structures. Mr. Cabe closed this part of his report by outlining the qualifications for either individual assistance or public assistance resulting from the storm, noting again that damage assessments are ongoing.

Following his updates, Mr. Cabe answered questions from the board regarding both COVID-19 and weather issues. No action was taken.

CONSULTATION WITH BOARD OF HEALTH REGARDING NEW HEALTH DIRECTOR: Chairman Tate explained that the board would be receiving a phone call from Melissa Bell, the chair of the Macon County Board of Health. Mrs. Bell explained that the members of the health board, as required by state statute, desired to consult with the commissioners regarding the health board's choice for a new director for Macon County Public Health. Following a process that took more than a year and half, she said the choice of the Board of Health is Kathy McGaha, a current, long-term employee of the department. Mrs. Bell said that Mrs. McGaha's years of experience and other factors made her "an

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excellent choice” to “lead us forward in the future.” Mr. Roland told the board members that a copy of Mrs. McGaha’s employment agreement had been provided to them, and outlines items including salary and a travel allowance. Mr. Jones pointed out that the recommendation and desire of the board of health needs to be approved by the commissioners, as well as Mrs. McGaha’s contract for employment, which would become effective April 29, 2020 if approved. Commissioner Beale made a motion to accept the recommendation of the board of health and the selection of Kathy McGaha as the new director. The motion was seconded by Commissioner Higdon, and all favored. An unexecuted copy of the Employment Agreement is attached (Attachment 1) and is hereby made a part of these minutes.

UPDATE ON COUNTY’S COVID-19 RESPONSE (CONTINUED)

Public Health: Mrs. McGaha began her remarks by personally thanking outgoing Interim Public Health Director Carmine Rocco for his guidance to the staff and for “taking on this beast of a virus,” adding that he has done a great job. She then gave the board a status report on COVID-19 in Macon County, the region, the state and nationally. A copy of her PowerPoint presentation is attached (Attachment 2) and is hereby made a part of these minutes. During her presentation, she noted that 93 counties in North Carolina have at least one confirmed COVID-19 case, adding that Macon has two confirmed cases and one COVID-19 associated death. She went on to note that a total of 198 residents have been tested as of this date. She then answered questions from the board members about testing, the time it is taking to get results and the availability of tests. No action was necessary.

Sheriff’s Department: Sheriff Robert Holland told the board that his number one goal continues to be keeping COVID-19 out of the jail, and visitation with inmates continues to be through videoconferencing. He said there has been a decrease in arrests and incidents since the pandemic began, noting that his department’s calls are down 19 percent. He added that his department is “100 percent in compliance with all complaints brought to our attention” as a result of the county’s State of Emergency regulations and Gov. Cooper’s executive orders, although he said a few have been charged with violating orders. The sheriff responded to questions from board members about his department’s needs, crime in the county and the “mental health side” of dealing with the virus. No action was necessary.

Administration: Mr. Roland stated that COVID-19 is “certainly the greatest challenge this organization has ever faced,” and while it has changed the way the county is doing business, he assured the board “it is not too big for Macon County government.” He told the board that with the exception of three departments, “We’re still open for business.” He noted that the county’s Information Technology department has help 35 county employees work from home, adding that teleworking is becoming a new reality. He said the county’s

employees have risen to the occasion, and the virus has put “a lot of extra work on a lot of folks.” He said that every service the county provides, as well as every employee, is essential, and that “everyone has taken responsibility” as needed, with those on the front lines doing an excellent job. He warned the board that there will be uncertainty going into the annual budget process. “All of these things tie into a budget process that is extremely uncertain,” he said, adding that “we won’t be in a situation where we overestimate our revenues.” Commissioner Beale noted that the state legislature was considering withholding county sales tax revenue, and Chairman Tate pointed out it was nice to have six months’ worth of expenses in the fund balance. No action was necessary.

DISCUSSION OF PLACING SALES TAX REFERENDUM ON NOVEMBER BALLOT: Mr. Roland explained that the deadline for the board to make a decision on whether to place the ¼-cent local option sales tax on the November general election ballot would be in July. Mr. Jones said he could prepare the necessary resolution for the board’s consideration and have that ready at the June regular meeting. It was noted there would need to be coordination with Melanie Thibault, the Board of Elections Director, about getting the referendum on the ballot. Commissioner Shields expressed his reservations about “moving this request forward,” saying it may not be appropriate at this time and adding that the board needs to be sensitive about that. Chairman Tate said he has the same reservations. No action was taken.

LEASE WITH GEM & MINERAL SOCIETY OF FRANKLIN: Mr. Jones explained that the board approved a one-year lease agreement with the Gem & Mineral Society of Franklin back in January for the society’s use of the old Macon County Jail as a museum. He said the organization desires a five-year lease, adding that the county has properly advertised that it will consider that time period. He said if the board wants to proceed, it will need to rescind its action approving the one-year lease, and approve a resolution calling for a five-year lease as requested. Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to (1) approve a “Rescission of Lease Agreement” and (2) approve a “Resolution Leasing Property for a Term of Five Years” in connection with this matter. Copies of the rescission (Attachment 3), the resolution (Attachment 4) and an unexecuted copy of the new “Lease Agreement” (Attachment 5) are attached and are hereby made a part of these minutes.

LEASE WITH COWEE SCHOOL ARTS AND HERITAGE CENTER: Likewise, Mr. Jones explained that similar action was needed with regard to the lease agreement with the Cowee School Arts and Heritage Center. The board had approved a one-year lease in January, and representatives of the center were also seeking a five-year term. Upon a motion by Commissioner Beale, seconded by Commissioner Gillespie, the board voted unanimously to (1) approve a “Rescission of Lease Agreement” and (2) approve a “Resolution of the Macon County Board of County Commissioners Declaring Property to be Surplus and Approving a Five Year Lease of the Same by Macon County to Cowee School Arts

and Heritage Center” in connection with this matter. Copies of the rescission (Attachment 6), the resolution (Attachment 7) and an unexecuted copy of the new “Lease to Cowee School Arts and Heritage Center from Macon County” (Attachment 8) are attached and are hereby made a part of these minutes.

REQUEST FROM TOWN OF FRANKLIN REGARDING NEW ROOF FOR TOWN SQUARE GAZEBO: Mr. Roland explained that officials with the Town of Franklin contacted him about the town having a new roof put on the gazebo on town square, which is county-owned property leased to the town. He said the town will pay for the new roof. Commissioner Shields made a motion to approve the request as presented. Mr. Jones noted that this matter needs to be approved in writing, and told the board he would prepare a letter for Mr. Roland’s signature. Commissioner Gillespie seconded the motion, and it was approved unanimously.

APPLICATION FOR LOTTERY FUNDS: Upon a motion by Commissioner Gillespie, seconded by Commissioner Shields, the board voted unanimously to approve an application to draw down \$330,776.72 in funding from the North Carolina Education Lottery’s Public School Building Capital Fund. A copy of the application is attached (Attachment 9) and is hereby made a part of these minutes.

Prior to moving on to the Consent Agenda, Chairman Tate asked the other members for their consensus regarding a letter he was considering sending to those in the county who pay the occupancy tax and the recent effects of COVID-19 on short-term rentals that have been ordered to remain closed. A draft copy of that letter is attached (Attachment 10) and is hereby made a part of these minutes.

CONSENT AGENDA: Upon a motion by Commissioner Gillespie, seconded by Commissioner Higdon, the board voted unanimously to approve the consent agenda as presented, which includes: (A) budget amendment #220 for Senior Services to appropriate \$9,000 from a new grant allocation; #221 for the Solid Waste Department to appropriate \$946 from an insurance settlement; #222 for the Health Department to allocate \$4,941 in additional funding from the state; and #223 for the Maintenance Department to appropriate \$3,725 from an insurance settlement (copies of the amendments are attached). (B) received the monthly ad valorem tax collections report for the month of March, which shows an overall 97.32 percent collection rate, and for which no action was necessary.

APPOINTMENTS: (A) Board of Equalization and Review: Upon a motion by Commissioner Gillespie, seconded by Commissioner Shields, the board voted unanimously to accept the recommendation of Tax Administrator Abby Braswell and appoint Dwight Vinson, Donald Holland, Gary Drake, Kristine Flaig and Richard Lightner as the members of the 2020 Board of Equalization and Review. Term of appointment is for one year. Following the appointments, Commissioner Beale noted the passing of Bill Martin, a long-time former member of the Board

of Equalization and Review who Commissioner Beale said “served on that board diligently and faithfully.”

Prior to the board going into closed session, Interim Public Health Director Carmine Rocco stopped by the meeting to say goodbye, noting that his last day with the county would be April 28th. He told the board that his time in Macon County had “reinvigorated my belief in county government.” The board members thanked Mr. Rocco for his service.

CLOSED SESSION: At 8:20 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Gillespie, the board voted unanimously to go into closed session for the purpose of discussing potential property acquisition under NCGS 143-318.11(a)(5). At 8:38 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Gillespie, 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 8:39 p.m., upon a motion by Commissioner Gillespie, seconded by Commissioner Higdon, the board voted unanimously to adjourn.

Derek Roland
Ex Officio Clerk to the Board

Jim Tate
Board Chairman