



MACON COUNTY BOARD OF COMMISSIONERS
August 8, 2023
MINUTES

Chairman Higdon called the meeting to order at 6:00 p.m. All Board Members, County Manager Derek Roland, Deputy Clerk Mike Decker, Finance Director Lori Carpenter, and County Attorney Eric Ridenour were present, as were a number of county employees, media, and citizens.

ANNOUNCEMENTS:

- (A) Mr. Roland announced that the North Carolina Association of County Commissioners (NCACC) 116th Annual Conference will be held August 24-26, 2023 in Raleigh. He inquired as to whether the board wanted to send a delegate but no one indicated an interest in attending. Mr. Roland requested if anyone decided to go, let him know so he could notify NCACC.
- (B) Commissioner Shearl announced that he and Commissioner Antoine had met with the recreation commission recently when McGill and Associates presented their design for the recreation park. He said the design would be available in the next few weeks for this board to review and that the design had included elements from the public input that was received.
- (C) Chairman Higdon announced that he and Commissioner Shields had attended the recent Nantahala Community Club Meeting. He said the presentation by Jeff Lee with the broadband committee was excellent and it was a good meeting overall.

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

PLEDGE OF ALLEGIANCE: Led by Commissioner Shearl, the pledge to the flag was recited.

PUBLIC HEARING(S): None

PUBLIC COMMENT PERIOD: **Scott Baste** spoke about a recent library meeting and how people were complaining about books. He said he hopes the people the board places on the library board will be supportive of the good of the library. Mr. Baste encouraged everyone to love their neighbors no matter what their beliefs are. **Nancy Baste** spoke about the County Manager's letter regarding the library agreement. She expressed concerns about appointments being moved to the Board of Commissioners instead of the Library Board. **Kristin Broad** spoke about local efforts to bring focus to mental health issues in youth. She said she recently met Gracie and asked for support for her efforts. **Linda Tyler** spoke about the library board appointment proposal and said she hopes the Board of Commissioners takes recommendations of the local library board before making decisions on those appointments. Ms. Tyler said she hopes the board is able to move more quickly in approving appointments and appointing qualified individuals and said the library is there to serve everyone. **Maryann Ingram** said thank you to the property tax employees for making sure citizens understand the process. She spoke about the quarter-cent sales tax proposal that was voted down in the last election. Ms. Ingram said she supports the quarter-cent sales tax and hopes this will be brought up again and passed to take some burden off the county on figuring out how to fund projects. **Olga Pater** spoke in support of the library and requested the board leave the appointment process as it is. She said she feels there has been a lot of hoopla made about nothing. **Ron Lewis** and **David Street** introduced themselves and said they represent Foundation Forward, a non-profit organization that previously presented and built the Charters of Freedom. Mr. Lewis said they have built twenty-seven Charters of Freedom so far with the goal to build one similar to the one at the front of the Macon County Courthouse in all 100 counties. He said they are here tonight to give a supplemental gift of the Civil Rights to the county. Mr. Street gave an overview of the framed piece before presenting it to the board. He requested we pass the piece around to the local schools, county, and town departments, and once complete place it as close as possible to the entrance to the Charters of Freedom. Mr. Lewis said that in the coming weeks, Mr. Roland would receive a letter that authenticates the piece.

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

- To add Item 10D Consideration of Bond Release for Whiteside Cottages under Old Business by Mr. Roland

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- To add Item 9A Presentation by whyuskids under Reports and Presentations by Commissioner Shields
- To add Item 11B1 Request and approval for purchase of fire truck for Cullasaja Gorge Volunteer Fire Department under Old Business by Mr. Roland

REPORTS AND PRESENTATIONS:

- (A) **WHYUSKIDS** – Gracie Parker read a letter being sent to State representatives asking for opioid settlement monies to be spent on improving mental health services for children. The letter stated requests were being made to fund trauma counselors in elementary schools with at least twenty percent of the funding being spent on children. Miss Parker stated she would be going to Washington, DC next month to present the letter to elected officials. Mr. Roland provided information about the regional group that has hired a consultant to assess and facilitate efforts on how the opioid settlement funds are going to be used in the region.

OLD BUSINESS:

- (A) **Discussion Regarding Additional Services for the Franklin High School Project** – LS3P Senior Project Manager Emily Kite joined via Zoom as Mr. Roland stated a request for funds not to exceed \$20,000 was needed for the project consisting of an estimated \$11,500 for geotechnical service and \$8,000 for additional survey work. Ms. Kite said a couple of areas around the perimeter of the site have been identified which were not included in the original survey and there are some additional stormwater sites the engineers would like to review. She added that the stormwater review is a critical part of Phase 1 and the geotechnical exploration is needed in support of the bigger phase of building the school. Ms. Carpenter stated a resolution exempting surveying services, a resolution exempting engineering services, and approval of a budget amendment are needed. Commissioner Young made a motion, seconded by Commissioner Shields to approve both resolutions and the budget amendment to transfer \$20,000 from general fund contingency to cover these items. Vote was 4-1 with Commissioner Young, Commissioner Shields, Commissioner Antoine, and Commissioner Higdon voting in favor of the motion and Commissioner Shearl opposed.
- (B) **Highlands Middle School Renovation Project Update and Next Steps** – Ms. Kite reported that LS3P put out for bid the HVAC, roof, window replacement, and flooring replacement at the end of May and

conducted two rounds of bids with response from one bidder, the same for both rounds. She said the proposed bid is \$1,184,195 which is more than what is available in the budget. Ms. Kite said LS3P has worked with the liaison committee to look at options to change or alter the scope of work. She stated the Board of Education feels the entire scope of the project is urgent and that the project should move forward. Ms. Carpenter informed the board that this would result in a shortfall in the Repair and Renovation fund line of \$549,895. Commissioner Young said this is a needy fix in Highlands and said the issue he has is that he does not believe we should react on just one bid. He suggested we reach out to additional contractors, back up, and rebid the projects. After some discussion regarding suggested bid protocols, Commissioner Young made a motion seconded by Commissioner Antoine to reject the bid due to cost. Vote was unanimous.

- (C) Letter from Macon, Jackson, and Swain County Managers Concerning Review of the Fontana Regional Library Agreement –** Mr. Roland reminded the board that they had requested he meet with the managers from Swain and Jackson Counties to talk about the agreement. He said this is the first 10-year review of this agreement since implementation. Mr. Roland indicated that Swain and Jackson Counties are also presenting this letter to their boards today and said this is a starting point so each of the boards can begin discussing the agreement. Mr. Roland read the letter aloud which included that the Managers feel the agreement and the structure overall is great but the one thing they feel one thing needs to be adjusted is the appointment of board members [Attachment 1]. Commissioner Antoine said many issues are being blown up by the community and media and stated that the Memorandum of Understanding (MOU) has been in place for ten years and many were not aware of what was in that agreement. He indicated there was no reason to move forward with renewing the current agreement when changes needed to be made. Chairman Higdon said the board would take the letter and recommendations under review.

- (D) Consideration of Bond Release for Whiteside Cottages –** Planning Director Joe Allen gave an overview of the project bond which was entered into on May 10, 2022, with the Pradera Group in the amount of \$110,361 for the installation of a retaining wall and fill material to improve a road grade. A request to release the bond and documentation of completion of the work was received on July 24, 2023. Mr. Allen recommended release of the bond. Commissioner Shearl made a motion, seconded by Commissioner Antoine, to release the bond as requested. Vote was unanimous.

NEW BUSINESS:

- (A) **Discussion Regarding the Receipt of Grant Funding and Consideration of the Addition of Positions for Housing** – Housing Director John Fay shared information about grant funding in the amount of \$840,000 that the County will be receiving. He explained that the projects to be funded would require additional staff and requested the board approve the addition of four positions. Mr. Fay said the four positions will consist of an administrative clerical position, an auditor/team leader, and two retrofit installers. Commissioner Young made a motion, seconded by Commissioner Shields to approve the additional staff with the understanding that if grant funding goes away, the positions go away. Vote was 3-2 with Commissioner Young, Commissioner Shields, and Commissioner Antoine voting in favor of the motion and Commissioner Shearl and Commissioner Higdon opposed.

At 7:51 p.m., Chairman Higdon called a five-minute recess. The meeting was reconvened at 7:57 p.m.

- (B) **Discussion Regarding Contracts for Volunteer Fire Departments** – Emergency Management Director Warren Cabe said this item is for discussion only tonight. He said the County Attorney and the Volunteer Fire Departments have reviewed the draft contracts and provided feedback. Mr. Cabe said the Town of Franklin has also reviewed the draft contract and is awaiting our approval to move forward. He shared two versions of the draft contracts - one for non-profits for the volunteer fire departments and a second for municipalities, otherwise, there are no differences. Mr. Cabe highlighted the changes and differences between the current and the proposed draft contracts and asked for the board to review the drafts and give feedback. He said he would come back in Oct or Nov for final approval.
- (B1) **Request and Approval for Purchase of Fire Truck for Cullasaja Gorge Volunteer Fire Department (VFD)** - Jack Baird Chairman of the Cullasaja VFD presented a request to move forward with the purchase of a truck. Mr. Cabe said by the contract the VFDs have to get approval from the Board of Commissioners before moving forward with the purchase. Mr. Baird provided a draft letter and requested Mr. Roland put the letter on official letterhead and have Chairman Higdon sign it. Ms. Carpenter said she would prepare a separate letter which is needed from finance. Upon consensus of the board, Mr. Roland agreed to prepare the letter as requested.

- (C) **Use of County Property by Friends of the Greenway (FROGS)** – Commissioner Gary Shields introduced Ms. Rita St. Clair and thanked the other FROGS board members in attendance. He said he wanted the new commissioners to be updated on what FROGS does. Ms. St. Clair provided a handout to board members and gave an overview of the history of FROGS.
- (D) **Discussion and Approval of Lease Extension for USDA Macon Service Center** – Finance Director Lori Carpenter reviewed the lease extension in the amount of \$826.66 per month for space and said there were no changes from the current agreement. Commissioner Young made a motion, seconded by Commissioner Shearl, to approve the lease extension as requested. Vote unanimous.
- (E) **Changes to Memorandum of Understanding (MOU) between Macon County Board of Commissioners, Cooperative Extension Services, NC State, and NC A&T State University** – County Extension Director Christy Bredenkamp reported that the last MOU was signed in 2007 and that the State is trying to be consistent in revisiting the agreements. She reviewed the MOU and the changes and said most of the changes are to update wording. Ms. Bredenkamp requested the board approve to continue the MOU and sign the updated agreement. Chairman Higdon requested Mr. Ridenour review the MOU and bring it back to the next meeting for approval.
- (F) **Tax Refund for Parcels Located in Swain County** – Tax Administrator Abby Braswell reported that during a State review, they found that twelve parcels located on the Macon and Swain County line, have been taxed in Macon County but should be identified as Swain County properties. She suggested refunding the past five years of taxes paid and then Swain County is going to tax the properties for the same five-year period. Ms. Braswell said both Macon and Swain County Tax Administrators agree with this process. She said the refund would be \$15, 854.60 and that the funds would come out of prior year revenues. Commissioner Shields made a motion, seconded by Commissioner Young to approve the refund as requested. Vote unanimous.

CONSENT AGENDA: Upon a motion by Commissioner Young, seconded by Commissioner Antoine, the board voted unanimously to approve the consent agenda as presented which includes: (A) Minutes of the July 11, 2023, regular meeting, (B) Macon County Public Health Billing Guide, (C) Macon County Public Health Fee Plan, (D) Service Contract for Franklin Chamber of Commerce, (E) Service Contract for Highlands Chamber of Commerce, (F) Budget Amendments #10-28, (G) Tax releases for the month of July in the amount of

\$18,562.83, and (G) Monthly ad valorem tax collection report – no action necessary

APPOINTMENTS:

(A) **Southwestern Community College Board of Trustees (1 seat) –** Commissioner Shields made a motion, seconded by Commissioner Young to approve the reappointment of Brett Rogers.

(B) **Jury Commission (1 seat) –** Clerk of Superior Court Shauna Thun Lamb gave an overview of the Jury Commission and its role in selecting jurors. She recommended the appointment of Vivian Honey to fill one of two vacant seats. Ms. Lamb said appointments are made every two years. Commissioner Antoine made a motion, seconded by Commissioner Shields to approve the appointment as requested. Vote was unanimous.

CLOSED SESSION: None

ADJOURN: With no other business, at 8:45 p.m., upon a motion from Commissioner Young, seconded by Commissioner Shear, the board voted unanimously to adjourn.



Derek Roland
Ex Officio Clerk to the Board



Paul Higdon
Board Chair



July 24, 2023

Dear Commissioners,

The Fontana Regional Library Agreement between Macon, Jackson and Swain Counties requires a review of the Agreement every 10 years. That agreement is up for review at this time, and the Macon, Jackson and Swain County Managers met on July 20, 2023 to discuss what areas could be improved upon.

The three Managers felt the Fontana Library System has positively affected all counties within its membership through providing citizens with convenient access to informational and educational resources for over 75 years. We further agreed that the multi-county collaboration was the most efficient and effective way to continue providing library services as it provides opportunities for service and resource allocations beyond the financial and service capacities of the individual county governments and libraries. While the Regional Library Agreement has worked well to govern the multi-county library system for the past decade, we are in agreement that the existing agreement could be improved to increase communication and coordination between local government units and the Fontana Regional Library System.

The revision that we feel would be most beneficial to all of our citizens was to move appointment authority for the Fontana Regional Library Board of Trustees from the local county library boards to the Boards of Commissioners for each county. We believe that this "direct connection" between the local governments who are responsible for creating and funding the multi-county library system and the policymaking body for that system will be more reflective of the elected bodies, improve communications and make the services more responsive to all of our citizens.

In the event that all three County Boards and the Fontana Regional Library agree with the proposed change to the appointment process, we will make this revision to the Regional Agreement. Moving forward, the new appointment process will be used to fill all seats on the Fontana Regional Library Board of Trustees as they become vacant.

Sincerely,

Handwritten signature of Derek C. Roland.

Derek C. Roland
Macon County Manager

Handwritten signature of Kevin King.

Kevin King
Swain County Manager

Handwritten signature of Don Adams.

Don Adams
Jackson County Manager