

**MACON COUNTY BOARD OF COMMISSIONERS**  
**JUNE 13, 2017**  
**MINUTES**

Chairman Tate called the meeting to order at 6:04 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:** Chairman Tate mentioned that the board might be “potentially finalizing” the Fiscal Year 2017-18 budget at this meeting.

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

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

**PUBLIC HEARING ON THE RECOMMENDED FISCAL YEAR 2017-18 BUDGET:** Chairman Tate opened the public hearing on the recommended Fiscal Year 2017-18 budget at 6:05 p.m. **Kurt Volker** told the board that he was a fairly new resident of Macon County and lived in the Otto area. He said he was “very impressed with the overall system you have here” and asked the board to consider additional funding for the library. The County Attorney suggested that the County Manager provide a brief overview of the proposed budget, and the County Manager explained that the budget was balanced at \$49,587,927 with a tax rate of 34.9 cents per \$100 of valuation, and there was no tax increase from the current fiscal year, although two of the county fire departments were asking for increases for their districts. **Narelle Kirkland** asked that the gravel sections of the Little Tennessee River Greenway be paved. **Kathy Tinsley** asked the board to keep the library in mind in terms of additional funding, especially in Nantahala. **Annette Floreani** also spoke on behalf of the library, noting that she volunteers with the Friends of the Library Bookstore. Chairman Tate responded that the board has shown its dedication to the library on a per capita basis compared to dollars allocated to libraries by neighboring counties. Chairman Tate offered each member the opportunity to speak, but they deferred until it was time to consider adoption of the budget. However, Commissioner Higdon noted that it was “disappointing” that only

three people showed up to talk about a \$50 million budget. Following additional comments, Chairman Tate closed the public hearing at 6:29 p.m.

**PUBLIC COMMENT PERIOD:** Mr. Volker, who spoke earlier in the meeting, suggested that the board do something about the carpenter bees that are eating away at the wooden bridge on the greenway.

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

- To add discussion of the Southwestern Community College (SCC) burn building as the new Item 10(B) under Old Business, per Chairman Tate.
- To add consideration of the proposed Fiscal Year 2017-18 budget as the new Item 11(E) under New Business, per Chairman Tate.
- To add consideration of a resolution regarding support for funding for mental health services as a new Item 11(F) under New Business, per Commissioner Beale
- To add a report on the Nikwasi Initiative from Economic Development Director Tommy Jenkins as a new item 11(G) under New Business, per Commissioner Beale.
- To table Item 10(A) under Old Business – “Paving and landscaping at the Robert C. Carpenter Community Building – per the County Manager and to replace it with an update on the ongoing renovation project at the building.
- To add consideration of a rescission of a lease agreement at the county’s Business Development Center and to consider a resolution and lease with a new tenant as Item 11(H) under New Business, per the County Attorney.

**UPDATE ON ROBERT C. CARPENTER COMMUNITY BUILDING RENOVATION:** Jack Morgan, the county’s Director of Planning, Permitting and Development, gave the board an update on the progress of the renovation of the Robert C. Carpenter Community Building. He explained that the project was slow getting started with the biggest logjam stemming from the delay on getting the new windows and doors for the facility, but that the installation of those would start tomorrow, June 14<sup>th</sup>. He told the board the gym was “beautiful” and invited the members to come and see it. He said that the plumbing is mostly done, the lighting has been changed out to energy efficient fixtures, offices for staff are complete, there are two coats of fresh paint and that the Guy Taylor memorial is in place. The work on the interior is expected to be done by July 4<sup>th</sup>, with landscaping to follow and then paving. Mr. Morgan and Tom Ritter, the architect on the project, both noted the cooperation from the state Department of Transportation and Ingles on aligning the

ingress/egress for both the community building and a new Ingles supermarket on US 441 South where a new signal light will be installed. No action was necessary.

**SOUTHWESTERN COMMUNITY COLLEGE BURN BUILDING:** Chairman Tate declared that the board was ready to move forward with taking action to make the new burn building on the Southwestern Community College (SCC) a reality. The County Manager said the next step was to meet with SCC officials to revise the Memorandum of Understanding (MOU) between the county and college, and following further discussion and a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to authorize the County Manager to contact SCC officials and to proceed with obtaining the necessary survey of the proposed new site for the building.

**REQUEST FOR PROPOSALS FOR SCRAP TIRE RECYCLING:** The County Attorney explained that only one proposal for scrap tire recycling was received, but that he is recommending it – albeit with a few concerns that need to be negotiated. Following discussion, the consensus of the board was to allow the County Attorney and Solid Waste Director Chris Stahl to proceed with those negotiations with the intent of bringing back a contract for the board’s consideration at its July regular meeting. No formal action was taken.

**FIREWORKS DISPLAYS:** Upon a motion by Commissioner Beale, seconded by Commissioner Gillespie, the board voted unanimously to approve applications for fireworks displays for the Nantahala community on July 1<sup>st</sup> and for the Franklin area on July 4<sup>th</sup>.

**FINANCE DEPARTMENT ITEMS:** Following a brief explanation from the Finance Director, and upon a motion by Commissioner Gillespie, seconded by Commissioner Shields, the board voted unanimously to approve all of the following items in one motion:

- A Capital Project Ordinance Amendment for Union Academy & Highlands School in the amount of \$3,035,757. A copy of the amendment is attached (Attachment 1) and is hereby made a part of these minutes.
- A Capital Project Ordinance for the Carpenter Building Renovations in the amount of \$620,664. A copy of the ordinance is attached (Attachment 2) and is hereby made a part of these minutes.
- A Grant Project Ordinance for the 2017 Essential Single-Family Rehabilitation Loan Pool (ESRFLP17) in the amount of \$175,000. A copy of the ordinance is attached (Attachment 3) and is hereby made a part of these minutes.

- A Grant Project Ordinance for the PNC Healthy Housing Energy & Neighborhood Beautification Improvement Program in the amount of \$27,300. A copy of the ordinance is attached (Attachment 4) and is hereby made a part of these minutes.
- A Grant Project Ordinance for the Duke Energy Income Qualified Weatherization Program Direct Reimbursement in the amount of \$50,000. A copy of the ordinance is attached (Attachment 5) and is hereby made a part of these minutes.
- A Grant Project Ordinance Amendment for Duke Energy's Helping Home Fund in the amount of \$391,087. A copy of the amendment is attached (Attachment 6) and is hereby made a part of these minutes.
- A Grant Project Ordinance Amendment for the Duke Energy Income Qualified Weatherization Program in the amount of \$87,132. A copy of the amendment is attached (Attachment 7) and is hereby made a part of these minutes.
- A Grant Project Ordinance Amendment for Weatherization Assistance Program Contract #6940 in the amount of \$105,683. A copy of the amendment is attached (Attachment 8) and is hereby made a part of these minutes.
- The North Carolina Governor's Highway Safety Program Local Government Resolution for the Macon County Sheriff's Office for funding in the amount of \$17,500. A copy of the resolution is attached (Attachment 9) and is hereby made a part of these minutes, and the Finance Director noted this requires a match from the county.
- Change Order Number 1 on the Carpenter Community Building from Arrowood Construction in the amount of \$13,450. A copy of the change order is attached (Attachment 10) and is hereby made a part of these minutes, and the Finance Director noted this change was for new tile in both restrooms.
- An ordinance amending the Fiscal Year 2016-17 budget. A copy of the ordinance is attached (Attachment 11) and is hereby made a part of these minutes.

**SCHEDULE DATE FOR HEARING OF APPEAL:** Following an explanation by the County Attorney, and upon a motion by Commissioner Gillespie, seconded by Commissioner Beale, the board voted unanimously to schedule the hearing of an appeal by Wayne Moss regarding the order entered against him by Jack Morgan under the county's flood ordinance for 6 p.m. at the July 11, 2017

regular meeting. The Notice of Hearing will be served to Mr. Moss, and the board will sit and hear the matter as a quasi-judicial body.

**CONSIDERATION OF ADOPTION OF THE FISCAL YEAR 2017-18 BUDGET:**

The Finance Director handed out copies of the Budget Ordinance for Fiscal Year 2017-2018 for the board's consideration. She explained that it reflects the numbers as presented by the County Manager on May 16<sup>th</sup> except as those outlined on a spreadsheet which she also handed out. Copies of the ordinance (Attachment 12) and the spreadsheet (Attachment 13) are attached and are hereby made a part of these minutes. Following review by the board members, Commissioner Beale made a motion to approve the ordinance as presented, and it was seconded by Commissioner Shields. A lengthy discussion followed. Commissioner Higdon pointed out that he could not vote to approve the budget ordinance after voting against the increases in the fire tax for the Burningtown/Iotla and Franklin fire departments at the work session held the previous evening. "I can't vote for something I voted against last night," he said. Commissioner Gillespie said that he had to "go back last night and read through some of the commitments I made to the citizens when I ran for this position" and that he would "hold true to what I said I would do." Commissioner Beale said this was a good budget and "shows that we're looking forward," stating that he would "overwhelmingly" support it. Chairman Tate said that while he was "not personally 100 percent happy" with the budget, it was the best option to move this county forward. Following further discussion, the board voted 3-2 to approve the Budget Ordinance for Fiscal Year 2017-2018 as presented, with Commissioners Beale, Shields and Tate voting in favor and Commissioners Higdon and Gillespie opposing.

**RESOLUTION REGARDING FUNDING FOR MENTAL HEALTH NEEDS:**

Commissioner Beale presented a "Resolution of Support for Adequate Funding to meet the Mental Health, Intellectual and Developmental Disabilities and Substance Abuse Disorder service needs for Citizens of Macon County," a copy of which is attached (Attachment 14) and is hereby made a part of these minutes. He explained that this issue affects rural counties more as there are less services available, and the resolution requests the state legislature to "maintain full state funding" and "commit to increasing state funding" to address these issues. Commissioner Beale made a motion to adopt the resolution as presented, and it was seconded by Commissioner Shields. During discussion, Commissioner Higdon questioned how the resolution fits in the overall picture and suggested it might be premature to adopt it. The board voted 4-1 to approve the resolution as presented, with Commissioner Higdon opposing.

**NIKWASI INITIATIVE:** Economic Development Director Tommy Jenkins gave the board an overview of the Nikwasi Initiative, described as a collaborative

venture to improve the Nikwasi Mound area in Franklin. This effort would then serve as a pilot project to develop other sites along the Nikwasi-Cherokee Cultural & Historic Corridor. Mr. Jenkins said more than \$30 million has been invested along the corridor by a number of organizations. However, the Nikwasi Initiative would have four primary partners – the Mainspring Conservation Trust, the Town of Franklin, Macon County and the Eastern Band of the Cherokee Indians, with each partner asked to fund \$12,500 toward developing a strategic plan for the mound area. Commission Beale said he viewed the project as an investment to enhance the county. Commissioner Higdon questioned why this item wasn't included in the upcoming year's budget, and Commissioner Beale suggested that the funds come from the current year's contingency fund, which has approximately \$30,000 remaining in it. Following further discussion, Commissioner Beale made a motion to approve \$12,500 in funding for the initiative and to take the money from contingency, and Commissioner Shields seconded the motion. During discussion, Commissioner Higdon voiced his concern that this action usurped the efforts of the county's Community Funding Pool. The board voted 4-1 to approve the motion, with Commissioner Higdon opposing.

**RESCISSION OF LEASE AGREEMENT/NEW LEASE AGREEMENT:** Mr. Jenkins explained that Harmony House Foods had moved out of their leased space (Unit A) in the county's Business Development Center and that a new tenant was interested in the vacant space. The County Attorney recommended that the board approve a "Rescission of Lease Agreement" with Harmony House Foods and then consider a resolution that would have the board declare the property surplus and in turn enter into a one-year lease with Inovotex. Upon a motion by Commissioner Higdon, seconded by Commissioner Shields, the board voted unanimously to approve the "Rescission of Lease Agreement" as prepared by the County Attorney, a copy of which is attached (Attachment 15) and is hereby made a part of these minutes. Upon a motion by Commissioner Higdon, seconded by Commissioner Gillespie, the board voted unanimously to approve a "Resolution of the Macon County Board of County Commissioners Declaring Property to be Surplus and Approving a One-Year Lease of the Same by Macon County to Inovotex, LLC., a Delaware Limited Liability Company. A copy of the resolution (Attachment 16) and the accompanying lease (Attachment 17) are attached and hereby made a part of these minutes. The lease period is June 15, 2017 through June 14, 2018 with a monthly rent of \$1,840.

**CONSENT AGENDA:** Upon a motion by Commissioner Beale, seconded by Commissioner Gillespie, the board voted unanimously to approve the items on the consent agenda as follows: the minutes of the April 11, 2017 regular meeting, the April 25, 2017 continued session, the May 9, 2017 regular meeting and the May 16, 2017 continued session; approved tax releases for

May 2017 in the amount of \$4,381.53. Copies of the releases are on file in the Deputy Clerk's office.

**APPOINTMENTS: (1) Planning Board** – Following discussion, and upon a motion by Commissioner Gillespie, seconded by Commissioner Beale, the board voted unanimously to reappoint Ben Laseter to a three-year term on the Macon County Planning Board. In addition, it was the consensus of the board for Bill Futral to continue to serve on the planning board until a new member from the Highlands area was chosen to fill that seat.

**ADJOURN:** Prior to the board adjourning, Chairman Tate asked the County Manager to set up a joint meeting with the town boards of Franklin and Highlands, perhaps for a time in early fall, and the County Manager suggested holding the meeting at the Carpenter Community Building once the renovation is complete. Commissioner Beale also updated the board on the situation at Angel Medical Center, noting that it appears labor and delivery services will no longer be available at the hospital. At 7:49 p.m., upon a motion by Commissioner Higdon, seconded by Commissioner Gillespie, 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