

**MACON COUNTY BOARD OF COMMISSIONERS**  
**June 14, 2022**  
**MINUTES**

Chairman Tate 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, members of the news media, county employees and interested citizens were present.

**ANNOUNCEMENTS:** Mr. Roland announced that the county would be contracting with LS3P as the architect for the Franklin High School project and the firm is going to be presenting its assessment to the Board of Education as well as the Board of Commissioners at a joint meeting scheduled for Tuesday, July 19, 2022 at 6:00 p.m. in the Fine Arts Center located at Franklin High School. He noted that Commissioner Shields has provided a copy of the renovation suggestions to the other members of the board for review prior to the meeting.

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

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

NOTE: Due to the overflow of citizens attending the meeting, Chairman Tate recessed the meeting at 6:04 p.m. and the meeting was moved to Courtroom A on the fourth floor of the Macon County Courthouse, where Chairman Tate called the meeting back to order once the board and staff members had assembled.

**PUBLIC HEARING(S):**

**(A) FISCAL YEAR 2022-23 BUDGET** – The public hearing was called to order at 6:15 p.m. by Chairman Tate. Mr. Roland stated that all the changes that were discussed at the last budget work session have been incorporated into the document provided to the board members. He said if it is adopted those changes include an \$8,490 increase to the North Carolina Forest Service and also include the adjustments as discussed pertaining to the four fire departments that requested increases. **Mary Ann Ingram** spoke about the need for long sleeve shirts for the lifeguards at the Macon County Rec Park Pool. She said an

estimated cost would be \$420 and that she was contributing \$120 toward that amount and challenged board members to individually contribute as well. Board members and members of the general public came forward and gave contributions. **Angela Norman** stated she wanted to thank Commissioner Beale and the board members who voted to increase the funding to the Macon County Library employees as those people work incredibly hard to provide services and programs for our community. She said she is struggling to understand Commissioner Higdon believing that funding the salaries of the library employees should be used as punishment over the Pride display. **Brittany Lofthouse** stated that Commissioner Higdon had previously referenced a book; A Church for All that was included in the Pride display at the library and read excerpts from the book. She stated that the book has no bearing on what the library funds are intended for in this budget and for Commissioner Higdon to say that promoting these types of books deserves punishment for the staff and their funding is not warranted. Mrs. Lofthouse said Commissioner Higdon keeps saying that these things are personal opinions, but that is not his job as a commissioner and that she along with the majority of Macon County fully support the Macon County Public Library and providing additional funding for their incredible employees. **Bill Dyar** stated he was representing the Macon County Library Board of Trustees and informed the board that he had sent them an email earlier today with the information he was presenting. He commented that there is no exception that the library has volunteers that tirelessly support our library with their time, their talent and their resources as he recognized those that were present. Mr. Dyar stated the library board of trustees had asked him to speak in an appeal for increased funding for the library in this year's budget. He said that over the past 10 years the library has received a five percent increase in funding and that during that time inflation grew 16 percent which does not include the inflation that we are currently experiencing. Mr. Dyar indicated that the starting salary at the library as an hourly employee is \$10 an hour and urged the board to increase funding to the library in this year's budget. **Dylan Castle** stated that he supported Commissioner Higdon's position that taxpayer money is going to promote so openly and directly to children the LGBTQ agenda. He stated that parents have the final authority in exposing or not exposing their children to anything of this nature and requested that commissioners be "righteous men who lead not with the sway of the current tide, but to lead according to God's principles." Mr. Castle said he believes each commissioner "will be accountable to God personally and that the voters will hold them accountable because the voters want righteous leaders and will have righteous leaders." **Leah Gaston** stated she has been a library advocate for eight years bringing her eight-year-old daughter to the library regularly. She feels she and her husband have the sole responsibility to teach their child about matters of sexuality and do not give the library permission to introduce, display, promote, or celebrate topics of sexuality of any type to their child. Ms. Gaston shared that she understands that the commissioners have many concerns in running

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the county, but would like to kindly remind them that all of us carry the burden of society upon our shoulders and in today's modern age it is not enough to ride the fence anymore and simply watch events unfold in our culture. She thanked Commissioner Higdon for being an example of what a community leader should be and said she hopes others will follow his lead and call out the perversions that are destroying our country. **Jim Gaston** stated he has seen firsthand up close the huge amount of wasteful spending from the public treasury and how money got spent just because it was available, and then it took more money to maintain everything that was bought. He said he does not support spending more money to grow government on any level because it is never enough, and that government's nature is to become bloated with no accountability and everyone wants their handout for their special projects or pay increases. Mr. Gaston thanked the board for putting the sales tax to a referendum and said he thinks all of us can live with the results whenever the people have the say so on the ballot. He stated that when it comes to promoting biased beliefs it is okay to say no to extra funds to a public library when they promote and celebrate dangerous themes as if it were normal. Mr. Gaston said the funding should not be contingent on personal beliefs and feels the staff and the librarians passionately make that library what it is and to deny them a three percent pay increase is a dereliction of duty as an elected official of this county, and how dare they not get paid what they are owed. **Cayenne Kruse** stated she does not agree with withholding the salary increase for the librarians on any premise. **Hannah Kruse** stated that when she heard that library employees were not going to get a raise she was shocked saying school children are expected to be mature enough to handle the numerous active shooter drills in school every year, therefore it seems that makes them mature enough to know whether or not a fellow student might have two dads. She said she felt the library staff simply did their job to inform the public on what books they have to offer for Pride month. Ms. Cruz asked commissioners not to allow personal feelings or opinions to get in the way of allowing library employees to be paid what they deserve. **Allen Lewis** stated he stands in opposition of promoting any material of a sexual nature to minors at the public library regardless of what kind of sexual material that is, but he supports funding the library staff at a reasonable rate. **Warren Bergstresser** stated he was at the library meeting where they were talking about the LGBTQ display and began wondering what the library is and what its purpose is. He said it is a "repository of knowledge accrued throughout centuries that is either written or in digital form and it is typically used for academics for the purpose of gaining study to learn professions, trades, skills and that type of thing." Mr. Bergstresser said he does not feel that this purpose should affect in any way how we publicly fund the library. He stated that he thinks the board should look at trends across the country such as police departments in the north that are having to restrict patrols due to their budget being already out of money because of fuel costs, and think about trying to make sure that what is coming on the horizon allows us to keep services going. **Jared Gantt** stated this is not really a

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question of funding, but at the heart of it is a question of punishing people for doing their jobs and doing it well. He said he believes it is about power and using power to silence the narratives and the information that board members disagree with. Mr. Gantt said our library is incredibly fortunate to have the staff that they do and they provided a welcoming community space for everyone regardless of race, religion or orientation. He shared quotes from Isaac Asimov, Walter Cronkite, and John Barry, and added that a three percent pay increase will not cover the increase of the cost of living. He closed by saying these librarians have a much harder job than he does and he is getting a six percent increase next month. **Heather Johnson** spoke in support of the library stating she supports every move the library makes and will continue to do so. **Megan Partain** spoke in support of the library and the programs that employees put together day after day for everyone in the community, community members of all walks of life in Macon County, from children to adults, all for free. She said in high school she had to experience peers who did not have the representation in public places like the library here has and she had to watch these youths suffer in silence, and due to that silence some of them are no longer here. Ms. Partain stated that she feels board members are using a public platform, an elected seat, to withhold funding for salaries because of personal disagreement, which is essentially punishing the hard-working employees of the library that go above and beyond to provide support, safety and representation. She said Commissioner Higdon's stance speaks volumes to the surrounding communities and to our state and it is very shameful. Ms. Partain closed by saying that she and her three children came tonight to support our library and its employees and to support any and all members of the LGBTQ+ community in Macon County who are under increasing pressure from those who wish to perpetuate silence and she wishes to call out ignorance and hate when she sees it. **Olena Romanchuk** stated she supports our public library and would like to say that denying the budget to the public is an attempt of censorship, and believes it is not only immoral but also illegal. She said the library is a safe public space and also funded by public, so it should serve the public and every individual in our community not just a few. Ms. Romanchuk indicated that salaries need to be increased for a livable wage. **Shalomar Anderson** spoke in support of library funding and stated that if the board was really worried about money, shouldn't they be concerned about the cost of bigoted policies and withholding nominal raises less than those in the private sector. She said some of us live differently but it doesn't make us less than and it certainly doesn't mean that you can withhold something that is a business decision based on something that is apparently a religious decision. Ms. Anderson stated that board members are elected to do a job for the entire community and withholding a three percent raise on these grounds is appalling. She said she would not be surprised if this information got picked up in a more national way by news outlets if not stopped, and asked if this issue is how the board wants to bring attention to our community. **Donn Erickson** said he would like to applaud the library for having

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materials and for presenting information and literary materials on the LGBTQ issue and other controversial social issues of the times. He said he believes we are blessed to be in a society where we are not only allowed, but also encouraged to come to a public forum and voice our different opinions and to participate in the democratic process of decision making about our community to make it better and stronger. **Railey Dolpher** spoke in support of the library. **Mike Holland** spoke in support of the library and stated that a small Pride display of something that is being celebrated all over the world about accepting a group of people just as they are can be handled better in Macon County than this. He said the Gay community is part of Macon County including doctors, lawyers, hospital staff, teachers, etc. and they are paying taxes. **Mary Sarozzi** spoke in support of the library and said she wanted to share a quote from New York Senator Liu in regard to what Jesus said about homosexuality as she turned her back to the board and stood in silence. **John deVille** referenced North Carolina General Statute 7b 301 and House Bill 755. Mr. Deville indicated that these two legal positions will create a conflictual position for teachers and others required by N.C.G.S. 7b 301 to report suspected abuse of a child. He said that he will not take the chance of placing a student into an abusive situation now implied in H.D. 755 in regard to LGBTQ students. Mr. deVille referred to Commissioner Higdon's comments at the June 7, 2022 meeting regarding the Pride display at the library and gave some examples of the differing of opinions and the use of tax dollars. He said the public library is one of the last public sanctuaries in our country, it is a safe harbor, a place to affirm those who are otherwise marginalized by society whether they are persons of color, poor, homeless or members of the LGBTQ community, and feels the staff of our library deserve respect and admiration for their acts of courage, their compassion, their affirmation, their support, and their understanding. **Hazel Norris** spoke in support of increased funding for the library. **Danny Antoine** stated he came here tonight because he wanted to address the article in the *Asheville Citizen Times* about Commissioner Higdon and said after listening to what everyone is saying tonight that he too agrees that there is so much hate and asked at what point do we realize hate is not going to be the answer? Mr. Antoine read a prepared statement sharing his beliefs and intent as he seeks public office in November. He ended by saying, as public servants, we are there to serve people and as Christians, it is time to stand and be vocal. Chairman Tate asked Library Director **Karen Wallace** to answer some questions for the board. Ms. Wallace indicated there are 27 library employees (20 in Franklin, five in Highlands, and two in Nantahala) and that the funding increase requested will go toward salaries, health insurance and general operating expenses. Commissioner Higdon asked Ms. Wallace about the state funding appropriated to the library to which Ms. Wallace said the funding had previously remained flat. Commissioner Higdon referenced the Memorandum of Agreement between Macon County and Fontana Regional Library saying the agreement indicates that state funds will be used for salaries. He said Macon County writes a check twelve times per year

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and the library decides where the money goes. Ms. Wallace explained the reason for last year's increase to Fontana Regional Library's fund balance and how grant funds received were designated for specific projects, stating that neither the fund balance nor grants could be used to fund salary increases. At 8:18 p.m., after confirming there were no members of the audience desiring to comment on the FY 2022-23 budget, Chairman Tate closed the public hearing.

Mr. Ridenour informed the board members that the state legislature passed a new statute that became effective this fiscal year, and says that county commissioners who likewise serve on a board of a non-profit cannot vote to appropriate monies to that non-profit. He said Mr. Roland and Ms. Carpenter had made a list of the eight non-profits that are in the budget for fiscal year 2022-23, and indicated that if a commissioner was a liaison that was okay, but if they were on the board of any of the organizations on the list then a separate budget amendment would be needed. Mr. Ridenour indicated the eight non-profits were as follows: No Wrong Door, Macon County Historical Society, Scaly Mountain Historical Society, State of Franklin, WNC Communities, Macon Citizens Abilities, Macon Program for Progress and Macon County Community Development Council. After a brief discussion, Attorney Ridenour requested that the record state that the budget vote could be held as planned and that no conflicts were identified regarding the new statute.

Mr. Roland requested a correction to a change made at the last meeting regarding the North Carolina Forest Service for an increase of \$8,098 instead of an increase of \$8,498.

Commissioner Higdon read a prepared statement thanking the citizens for coming tonight and witnessing elected leaders at work and providing input on how tax dollars are spent and explaining his position when voting on issues. In the statement, Commissioner Higdon shared that this board directed the county manager, the finance director and their budget team to present a draft budget without any new tax increases and he thinks our local government has adequate funds to provide high levels of service to our constituents. He said he cannot support increasing the budget \$2.3 million over last year, any fire tax increase, a four and a half percent salary increase to county staff, a proposed \$52,000 increase to the Fontana Regional Library, and any increase in public funding to assist in a gay pride display in the teen section of the library, which is public property.

Commissioner Young stated he wanted to take a business approach to the budget and feels like government is very ineffective with the money and that if this were the private sector we would likely go out of business and would have been out of business a long time ago. He said initially when Mr. Roland presented his budget he had no hard feelings with it and was for the majority in support of the budget, but whenever all the fire departments came forward and this board holds them accountable he wants this board to prioritize funding and feels that it is his job to hold this board accountable by not increasing the budget when the fund balance is still extremely high. Commissioner Young said he

thinks many non-profits should not be funded by taxpayer dollars and many of the expenses in this budget should come out of fund balance. Commissioner Beale said 25 percent of the fund balance has to be maintained as set by the board many decades ago and that rescinding that to the eight percent required by the state would require action by the full board. He recollected the Peaks Creek disaster in which the county outlaid \$11 million and it took 12 years to get the money back from the federal government. Commissioner Beale said that if the county had not had a strong fund balance at that time we would not have been able to cover the costs associated with the incident and that when you start using fund balance to cover recurring costs we will go broke. Commissioner Higdon suggested reworking how funding is provided to charities and non-profits. Commissioner Shields stated the Franklin High School project is going to depend upon a strong fund balance for whatever we have to do. He said he thinks a strong fund balance needs to be maintained because we do not know what is going to happen with this project. Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted 3-2 to approve the budget as presented with the change regarding the North Carolina Forest Service as stated, with Commissioners Beale, Shields and Tate voting in favor and Commissioner Young and Higdon opposing. A copy of the Budget Amendment for Fiscal Year 2022-2023 is attached (Attachment 1) and is hereby made a part of these minutes.

**(B) Extension and Modification of the Exclusive Franchise Agreement for the Collection and Disposal of Solid Waste within Macon County** – Solid Waste Director Chris Stahl stated that extending and modifying the agreement with J&B Disposal was largely procedural in order to amend the ordinance. He said the proposed changes had been read in the commission meetings two months in a row and involve a change to the date of the contract and elimination of the service map. Chairman Tate inquired if anyone from the public wanted to speak, and with no one coming forward, he closed the public hearing at 8:54 p.m. Upon a motion by Commissioner Higdon, seconded by Commissioner Shields, the board voted unanimously to approve the “Ordinance Granting Exclusive Franchise Agreement to J&B Disposal, Inc., for the Collection and Disposal of Solid Waste,” a copy of which is attached (Attachment 2) and is hereby made a part of these minutes.

**PUBLIC COMMENT PERIOD: Hazel Norris** requested allocation of funds to replace the voting machines prior to the November 2022 election to avoid a repeat of the confirmation challenges experienced during the primary in May 2022. **Brittany Lofthouse** read a letter from a Macon County employee who could not be present in which the employee requested the board look at sex chromosomal issues represented in the observance of Pride month that are generally overlooked, but represented by the color yellow in the Pride rainbow.

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

**Update from the Macon County Airport Authority** – Vice Chairman Jack Horton gave an update on issues with the Federal Aviation Administration (FFA) regarding the grounds lease and the management contract stating those have been resolved. He also shared that the authority had recently adopted a Code of Ethics and shared a copy with board members and encouraged they attend the mandatory training and update their own code of ethics annually. Mr. Horton shared that the upgrade to the fuel farm has been funded with a \$900,000 grant plus the 10 percent county match of \$100,000. He indicated that the tanks have been ordered but will not be delivered until September and installation has to occur within 90 days of delivery. Mr. Horton also shared that the North Carolina Department of Transportation has partnered with the authority on a runway rejuvenation and apron repair project that will soon be complete. A copy of the authority's report to the board is attached **(Attachment 3)** and is hereby made a part of these minutes.

**OLD BUSINESS:**

**Nantahala Library / Community Center architect proposal** - Mr. Roland reminded board members that a request for proposals for architectural services had gone out and that a proposal from Keith Hargrove, who had experience with library projects in the past, had been received. He said Mr. Hargrove has met with both Fontana Regional Library representatives and the community center stakeholders and has given us a proposal in an amount of \$27,000, which will include the design as well as overseeing the construction project from the architect's standpoint. Mr. Roland referred to the proposal and resolution exempting architectural services of an amount less than \$50,000. He said once the board approves the resolution he will negotiate a contract with Mr. Hargrove that is representative of the terms outlined in that proposal not to exceed \$27,000. Upon a motion by Commissioner Higdon, seconded by Commission Young, the board voted unanimously to approve a resolution exempting architectural services for Nantahala Library and Community Building in accordance with the provisions of Article 3d in Chapter 143 of the North Carolina General Statutes, as well as the accompanying budget amendment.

**NEW BUSINESS:**

**Request for increase in matching funds for Macon County Transit grant** – Transit Director Darlene Asher reported that the state had inquired about projects that could be funded and she identified the bus awning that is scheduled for Fiscal Year 2023-24. She said the state went ahead and gave the county the



funding plus some operating money. Upon a motion by Chairman Tate, seconded by Commissioner Beale, the board voted unanimously to accept the funds in the amount of \$8,000.

**Bond agreement for Gemstone Village Phase II** – Planning Director Joe Allen presented the request to enter into an agreement with Snobar, LLC in the amount of \$735,992.50 in accordance with the Macon County Subdivision Ordinance for Phase II of the Gemstone Village subdivision. Mr. Allen reported that the developer, Joann Snider, will be putting up cash instead of the traditional bond. Upon a motion by Commissioner Young, seconded by Commissioner Beale, the board voted unanimously to accept the agreement as presented, a copy of which is attached **(Attachment 4)** and is hereby made a part of these minutes.

**Fireworks permits** – Deputy Clerk Mike Decker presented three requests for fireworks displays, as follows:

- (1) Nantahala Volunteer Fire & Rescue, Inc. – Nantahala Lake on July 2, 2022,
- (2) The Town of Franklin – 15 First Street in Franklin on July 4, 2022, and
- (3) The Highlands Chamber of Commerce – 600 North 4<sup>th</sup> Street in Highlands on July 4, 2022.

Upon a motion by Commissioner Beale, seconded by Commissioner Young, the board voted unanimously to approve the permits as presented.

**CONSENT AGENDA:** Upon motion by Commissioner Young, seconded by Commissioner Shields, the board voted 4-1 to approve the consent agenda as presented. Commissioner Higdon was not available for the vote. The Consent Agenda includes the following: (A) Minutes of the May 10, 2022 regular meeting, (B) Budget Amendments #321-324, (C) Ordinance Amending FY 2021-2022 Budget, (D) Grant Project Ordinance Amendments [1] Duke Energy Income Qualified Weatherization Program Direct Reimbursement, [2] 2017 Essential Single-Family Rehabilitation Loan Pool (ESFRLP17), [3] Duke Energy’s 2017 Helping Home Fund, and [4] 2020 Urgent Repair Program, (E) Grant Project Ordinances [1] 2021 Urgent Repair Program, [2] NC WAP LIHEAP ARPA/COVID-19 Contract CW26096, [3] Housing Administration, [4] Highlands Cashiers Health Foundation/Nantahala Health Foundation Grant, [5] Dogwood Health Trust Grant #1452, [6] Weatherization Assistance Program FY 2023, and [7] 2022 Urgent Repair Program, (F) Capital Project Ordinance Amendments [1] Macon Middle School Renovation, and [2] Macon Middle School Locker Room, (G) Capital Project Ordinances [1] Franklin High School Project, and [2] Nantahala Library/Community Building, (H) Resolution Approving County Policies to Aid in Administering Federal Coronavirus State and Local Fiscal Recovery Funds from the American Rescue Plan, [1] Nondiscrimination Policy, [2] Record Retention Policy, [3] Conflict of Interest, [4] Allowable Costs and Cost Principles Policy, and [5] Eligibility Determination Policy, (I) Juvenile Crime

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Prevention Council County Plan for FY 2022-2023, (J) Tax releases for May 2022 in the amount of \$3,367.75, and (K) Monthly ad valorem tax collection report – for which no action was necessary. Items (B) through (H) above are attached and are hereby made a part of these minutes.

**APPOINTMENTS:** None

**CLOSED SESSION** – None

**ADJOURN:** At 8:49 p.m., upon a motion by Commissioner Young, seconded by Commissioner Beale, the board voted 4-0 to adjourn. Note: Commissioner Higdon was not present when the vote was taken.

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Derek Roland  
Ex Officio Clerk to the Board

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Jim Tate  
Board Chair