

MACON COUNTY BOARD OF COMMISSIONERS
JULY 14, 2020
AGENDA

1. Call to order and welcome by Vice-Chairman Beale
2. Announcements
3. Moment of Silence
4. Pledge of Allegiance
5. Public Hearing(s) – **None**
6. Public Comment Period (via telephone)
7. Additions to agenda
8. Adjustments to and approval of the agenda
9. Reports/Presentations
 - (A) Presentation by Richard Sneed, Chief of the Eastern Band of Cherokee Indians, followed by consideration of a resolution opposing Catawba Indian Nation Casino in North Carolina
 - (B) Introduction of and comments from Troy Waskey, the new District Ranger for the Nantahala National Forest (Tentative)
 - (C) Update on county's response to COVID-19
 - (1) Kathy McGaha – Public Health
 - (2) Warren Cabe – Emergency Management
 - (3) Sheriff Robert Holland – Law Enforcement
 - (4) Derek Roland -- Administration
10. Old Business
11. New Business
 - (A) Consideration of resolution to abandon a portion of SR 1140 (McConnell Road) – Andy Russell, District Engineer, NCDOT
 - (B) Approval of new fees for Macon County Public Health – Kathy McGaha, Director

- (C) Presentation of the Macon County Community Needs Assessment Report – Justin Setser, Chair, Macon County Planning Board
- (D) Consideration of contract for “No Wrong Door” for Fiscal Year 2020-21 – Chester Jones, County Attorney, and Lori Carpenter, Finance Director
- (E) Designation of voting delegate and alternate voting delegate to NCACC Annual Conference
- (F) Discussion regarding underground storage tank replacement at Macon County School Bus Garage – Derek Roland, County Manager

12. Consent Agenda – Attachment #12

All items below are considered routine and will be enacted by one motion. No separate discussion will be held except on request of a member of the Board of Commissioners.

- (A) Minutes of the May 12, 2020 regular meeting
- (B) Budget Amendments #9-23
- (C) Tax Releases for June in the amount of \$513.36
- (D) Refund stemming from Property Tax Commission appeal in the amount of \$415.28
- (E) Ratification of email poll of the board regarding approval of the Town of Franklin’s July 4th fireworks display
- (F) Monthly ad valorem tax collection report – no action necessary

13. Appointments

- (A) Highlands Tourism Development Commission – one seat

14. Closed session as allowed under NCGS 143-318.11(a)(3) for attorney/client privilege and NCGS 143-318.11(a)(5) regarding real property

15. Adjourn/Recess

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

CATEGORY – REPORTS/PRESENTATIONS

MEETING DATE: JULY 14, 2020

9A. Richard Sneed, the Principal Chief of the Eastern Band of Cherokee Indians, will make a presentation to the board, after which the members can consider a “Resolution of the Macon County Board of Commissioners Opposing a Catawba Indian Nation Casino in North Carolina.” A copy of the resolution is included in this packet.

9B. Troy Waskey, the new District Ranger for the Nantahala National Forest, has requested the opportunity to introduce himself to the board and to be available for questions regarding the national forests, including the ongoing forest plan revision.

9C. The board will receive its monthly update on the county’s COVID-19 response/status from the following individuals:

- Kathy McGaha regarding Public Health
- Warren Cabe regarding Emergency Management
- Sheriff Robert Holland regarding law enforcement issues
- Derek Roland regarding overall county administration

STATE OF NORTH CAROLINA
COUNTY OF MACON

**RESOLUTION OF THE MACON COUNTY BOARD OF COMMISSIONERS
OPPOSING A CATAWBA INDIAN NATION CASINO IN NORTH CAROLINA**

THAT WHEREAS, Macon County is a county located in Western North Carolina; and

WHEREAS, counties in Western North Carolina have historically fallen well below national and state averages for wages, unemployment, education and other socio-economic metrics; and

WHEREAS, the Eastern Band of Cherokee Indians owns and operates Harrah's Cherokee Casino Resort in Cherokee, North Carolina, and Harrah's Cherokee Valley River in Murphy, North Carolina (collectively referred to as "Cherokee casino resorts"), which are located in Jackson and Cherokee Counties in Western North Carolina; and

WHEREAS, the Cherokee casino resorts had an estimated economic impact of \$750 million in North Carolina in 2018; and

WHEREAS, the Cherokee casino resorts have an impact on the economy of Western North Carolina in the form of employee compensation, local supplier purchases, cash distributions to fund Tribal operations, as well as distributions to individual Tribal members, each of which generates additional demands for goods and services provided by small business owners in Western North Carolina; and

WHEREAS, the Cherokee casino resorts have enabled the Tribe to make investments in Western North Carolina, including an additional \$330 million in financed capital investments by the year 2020; and

WHEREAS, the Cherokee casino resorts are directly responsible for five percent (5%) of the employment, approximately 3,069 employees, in the far six Western Counties of North Carolina, and nearly ten percent (10%) of employment for Jackson, Swain and Cherokee Counties; and

WHEREAS, the Cherokee casino resorts are indirectly responsible for an additional 5,411 jobs; and

WHEREAS, directly and indirectly, the Cherokee casino resorts have reduced the historically high unemployment rate in Jackson and Swain Counties, which was 1.87 times the state average through 1997; and

WHEREAS, prior to the establishment of the Cherokee casino resorts, seasonal fluctuations

in unemployment in Western North Carolina sometimes peaked at seventeen percent (17%) or more, but since the casino resorts' establishment, fluctuations currently range from two percent (2%) to four percent (4%); and

WHEREAS, the average salary for direct employees of the Cherokee casino resorts is seventy-two percent (72%) greater than the average salary in the far six Western Counties of North Carolina; and

WHEREAS, approximately \$129 million in direct wage and salary income to Cherokee casino resorts' employees and an estimated \$276 million in indirect wage and salary income generated by the casino resorts entered into the local economy; and

WHEREAS, Cherokee casino resorts-funded Tribal operations generated close to \$90 million in local spending and created more than 2,600 jobs in the region; and

WHEREAS, the Cherokee Preservation Foundation, using resources stemming directly from the Cherokee casino resorts, has awarded more than \$93 million to further strengthen and diversify the regional economy; and

WHEREAS, the State of North Carolina receives a revenue share from the Cherokee casino resorts in the amount of almost \$11 million annually; and

WHEREAS, other state and local taxes and benefits approach \$80-90 million, including income tax, sales tax, decline of unemployment benefits, occupancy taxes, etc.; and

WHEREAS, the Cherokee casino resorts are responsible for bringing in approximately 5.2 million visitors to Western North Carolina each year; and

WHEREAS, almost three-quarters of the gaming revenues generated by the Cherokee casino resorts are from out-of-state visitors; and

WHEREAS, in 2018 the employees of the Cherokee casino resorts donated approximately 123,000 hours to various non-profit organizations for value added near \$3 million; and

WHEREAS, S. 790, a bill to authorize the Catawba Indian Nation from South Carolina to build a casino in North Carolina, was introduced in the United States Senate on March 19, 2019; and

WHEREAS, S. 790 was introduced by South Carolina Senator Lindsay Graham, and co-sponsored by North Carolina Senators Richard Burr and Thom Tillis; and

WHEREAS, S. 790 would permit the Catawba Indian Nation to operate an off-reservation casino with electronic games without entering into revenue sharing agreements with the State of North Carolina; and

WHEREAS, revenues from a Catawba Indian Nation casino in North Carolina would be felt in South Carolina where the Catawba Indian Nation is located; and

WHEREAS, the establishment of a Catawba Indian Nation casino in North Carolina under S. 790 would result in fewer jobs offered by the Cherokee casino resorts and the Eastern Band of Cherokee Indians Tribal operations, thereby affecting the unemployment rate in Western North Carolina, and the salaries, wages, and other investments recycled back into the local and regional economy; and

WHEREAS, the establishment of a Catawba Indian Nation casino in North Carolina under S. 790 would result in lost investments and revenue in Western North Carolina and most of the Catawba casino revenues going to South Carolina casino developers and a South Carolina Indian tribe.

NOW THEREFORE, BE IT RESOLVED, that Macon County opposes S. 790, a bill that would permit the Catawba Indian Nation in South Carolina to open a gaming facility in North Carolina, and threaten the well-being of citizens and small business owners in Western North Carolina; and

BE IT FURTHER RESOLVED, that Macon County shall make its opposition known to North Carolina Senators Richard Burr and Thom Tillis and members of the Senate Indian Affairs Committee, and requests the North Carolina Senators to withdraw their support of S. 790.

CERTIFICATION

Adopted at the July 14, 2020, Regular Meeting of the Macon County Board of Commissioners by a vote _____ Yeas to _____ Nays.

James P. Tate, Chairman
Macon County Board of Commissioners

ATTEST:

Derek Roland, Clerk to the Board

(Official Seal)

**North Carolina Department of Transportation
Division of Highways
Abandonment Petition**

North Carolina

County of MACON

Petition request for the abandonment of Secondary Road PORTION OF MCCONNELL ROAD from the State.
(see attached)

Maintained System

We the under signed, being all of the property owners on Secondary Road PORTION OF MCCONNELL ROAD
in MACON County do hereby request the Division of Highways of the Department of
Transportation to abandon the road from the State Maintained System.

PROPERTY OWNERS

<u>Name</u>	<u>Address</u>
<u>Juellie McConnell Burns</u>	<u>306 Cuffie Rd. Franklin, NC 28734</u>
<u>Christopher Daniel Burns</u>	<u>306 Cuffie Rd. Franklin</u>
<u>Rebecca G. Sexton</u>	<u>466 Mador Forest Circle, Franklin</u>
<u>Kenneth S. Sexton</u>	<u>" " " " "</u>

Search Results

Find address or place

Results List

Details

PN: 0150792
 TAXID: 0150792
 Owner: BURNS CHRISTOPHER DANIEL
 300 GUFFE RD FRANKLIN NC 28734
 Physical Address: MCCONNELL RD
 Property: SKEENAHOFF
 Desc: RD 1135
 Acres: 72.25
 Elevation: 2362
 Top: ROLLING
 Description: ROLLING
 Utilities: ELECTRIC
 Dead Reference: 01/01/00
 Dead Date: 09/06/2019
 Last Sale Price: \$162,000
 Building Value: \$0
 Land Value: \$346,800
 Deferment: \$296,560
 Exemption: \$0
 Assessed Value: \$346,800
 Last Appraisal Date: 02/23/2018

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MACON COUNTY
 Franklin • Highlands • Northlake • City, NORTH CAROLINA

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Search Results

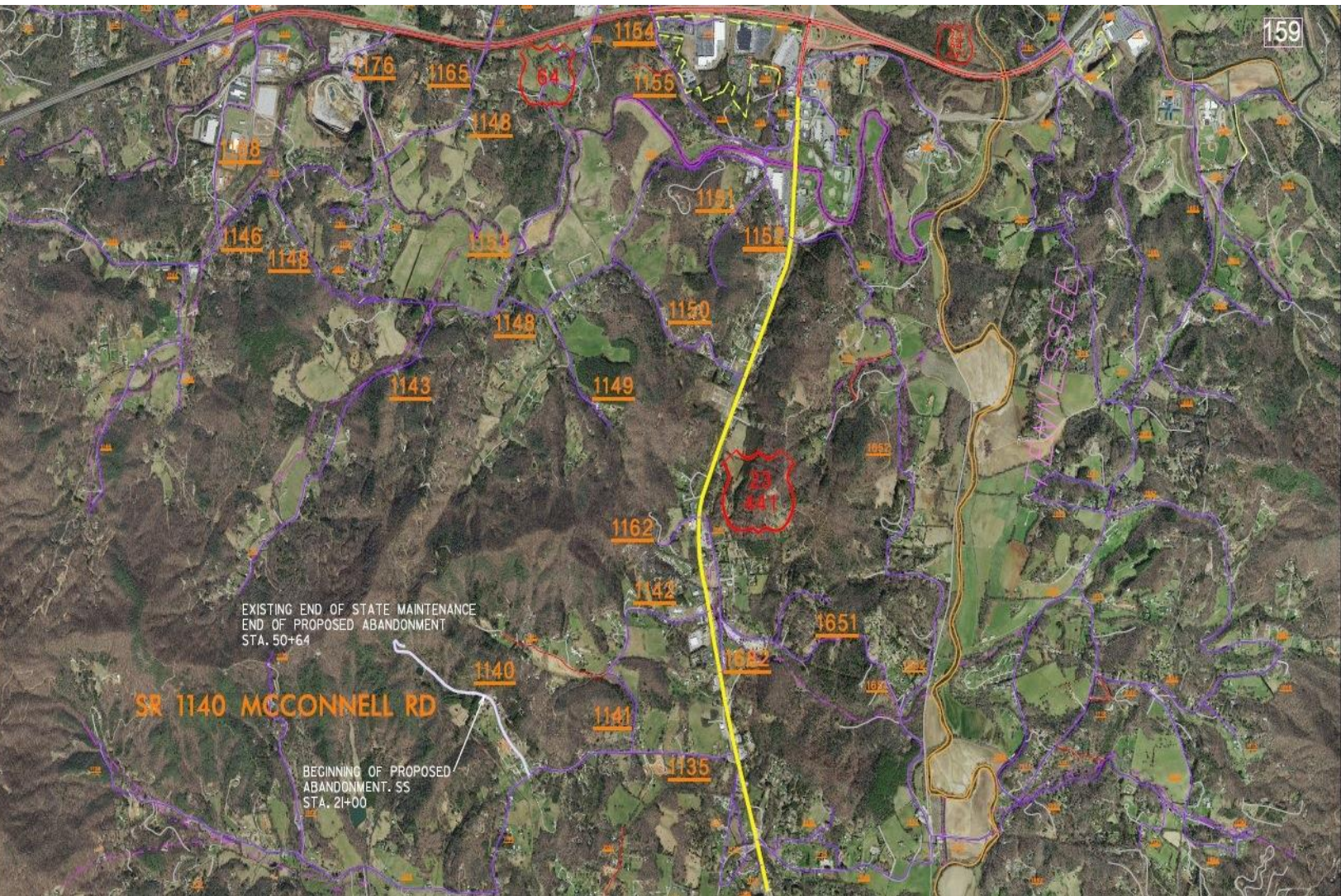
Find address or place

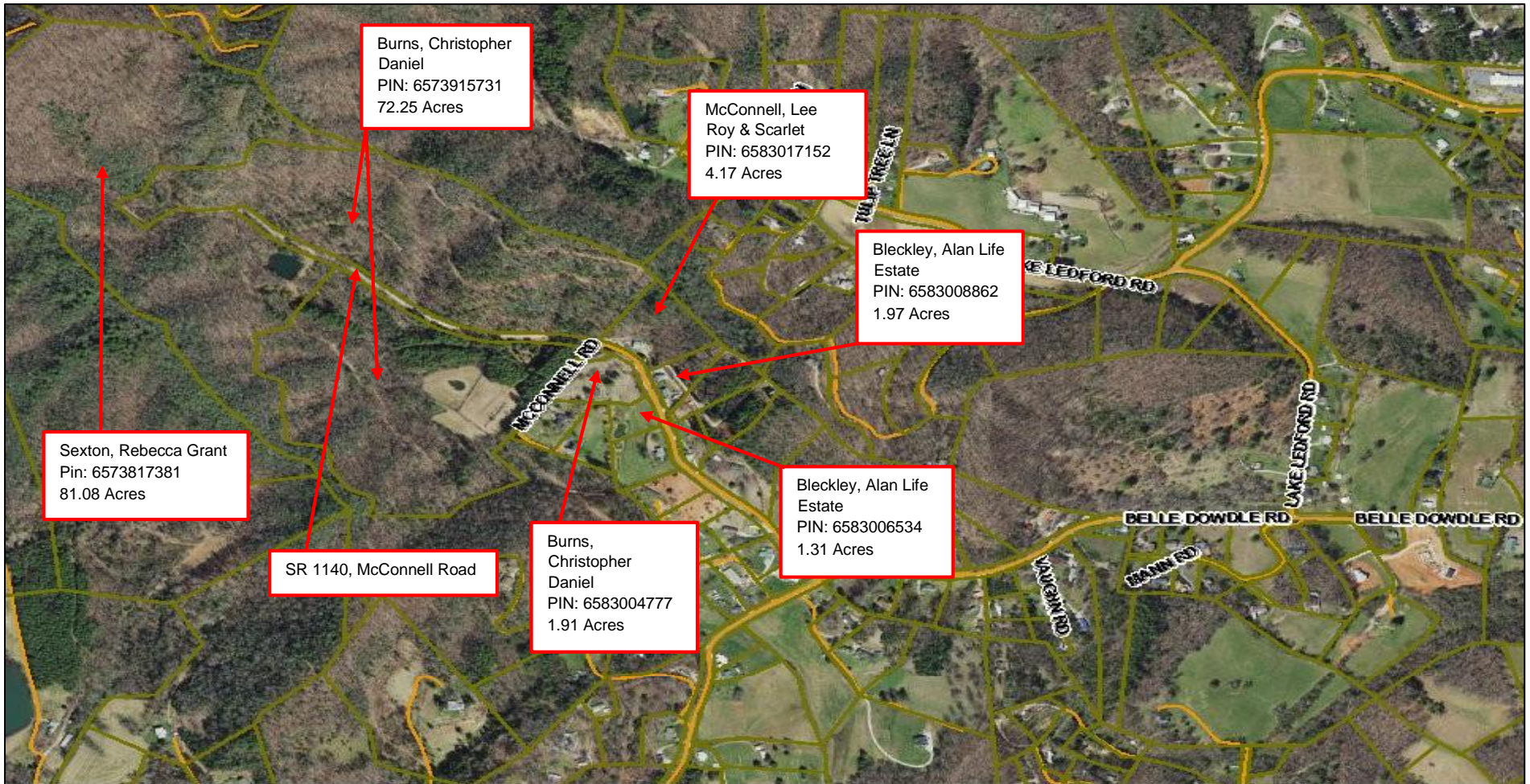
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release this portion





Macon County

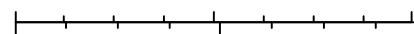
1:9,176

Disclaimer:

The information contained on this page is taken from aerial mapping, tax mapping, and public records and is NOT to be construed or used as a survey or 'legal description'. Only a licensed professional land surveyor can legally determine precise locations, elevations, length and direction of a line, and areas.

0	0.075	0.15	0.3 mi
0	0.125	0.25	0.5 km

February 11, 2020



MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

CATEGORY – NEW BUSINESS

MEETING DATE: July 14, 2020

11A. Andy Russell, the District Engineer with the Andrews District Office of NCDOT, has forwarded a petition for secondary road abandonment and other supporting documentation requesting that the North Carolina Department of Transportation (NCDOT) abandon the final unpaved portion of State Route (SR) 1140, McConnell Road, in Macon County. Per Mr. Russell, the petitioning property owners, Burns and Sexton, are the exclusive property owners having legal means of ingress and egress along this segment of the road. A copy of the abandonment petition is included in this packet. Mr. Russell also says that NCDOT will retain the initial 2,072 feet of McConnell Road as a State Maintained Secondary Paved Road, while the proposed length of the portion to be abandoned is 2,680 feet. A copy of Mr. Russell's letter requesting the board to adopt a resolution to this effect is also attached. However, a proposed resolution was not included in the information Mr. Russell provided, and perhaps Mr. Jones can address this matter. Also, color maps of the vicinity and site will be attached to the packet.

11B. Macon County Public Health Director Kathy McGaha will present a list of new fees for the board's consideration, and a copy of those fees is included in the packet. The Macon County Board of Health voted to approve the new fees at its meeting on June 23, 2020.

11C. Justin Setser, the chair of the Macon County Planning Board, will present the "Macon County Community Needs Assessment Report" for 2019-2020, a copy of which is included in the packet. The report notes that Commissioner Gillespie, the commission's liaison to the planning board, charged the group in February of last year with going throughout the county and assessing the needs of the individual communities, and Mr. Setser will present their findings.

11D. Mr. Jones is working to prepare a new contract in connection with the “No Wrong Door” program, and will update the board at Tuesday’s meeting.

11E. The board will need to designate a voting delegate for the annual conference of the North Carolina Association of County Commissioners (NCACC), primarily for the “virtual” annual business session to be held on August 6, 2020, with voting to take place via an electronic platform. This year, the board is also asked to designate an alternate voting delegate. For your information, a copy of the form is included in the packet.

11F. Mr. Roland will update the board on the situation regarding the replacement of the underground storage tanks at the Macon County School Bus Garage.

Search Results

Find address or place

Map controls: Home, +, -, Full Screen, Print, Layers, Road Map, Terrain, Photography

Results List

Parcel	0150792
Owner	BURNS CHRISTOPHER DANIEL 309 CLIFFE RD FRANKLIN NC 28734
Parcel Address	MCCONNELL RD
Property	SKEENAH CFF
Dist	RD 1135
Acres	72.2
Elevation	2362
Top	ROLLING
Exemption	ELECTRIC
Dist Reference	
Dist Date	09/06/2019
Land Sale Price	\$142,000
Building Value	\$0
Land Value	\$347,800
Exemption	\$206,000
Exemption	\$0
Assessed Value	\$347,800
Land Acquired	02/23/2018

MACON COUNTY

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MACON COUNTY

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Top	ROLLING
Exemption	ELECTRIC
Dist Reference	
Dist Date	06/26/2019
Land Sale Price	\$142,000
Building Value	\$0
Land Value	\$347,800
Exemption	\$206,000
Exemption	\$0
Assessed Value	\$347,800
Land Acquired	



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

June 5, 2020

Macon County Commissioners
James Tate, Chairman
Courthouse Annex
5 West Main Street
Franklin, NC 28734

Attention: Mr. James Tate

Re: McConnell Road, SR1140; Secondary Road Abandonment

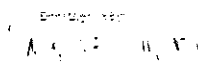
Dear Mr. Tate:

The property owners along the final portion of McConnell have contacted our Andrews District Office and requested North Carolina Department of Transportation abandon the final 2,680 feet of SR1140, McConnell Road, from the State Maintained Road System in Macon County. All property owners having legal means of ingress and egress have been notified of our intentions and are in agreement with abandonment of this facility. North Carolina Department of Transportation will retain the initial 2,072 feet of SR1140, McConnell Road, and continue routine maintenance operations up to the point of proposed abandonment.

I am, therefore, requesting the Macon County Board of Commissioners consideration in adopting a resolution to abandon the portion of SR1140, beginning at survey station 20+72 and ending at survey station 47+52, from the State Maintained Road System in Macon County.

Please feel free to contact me at (828) 321-4105 should you have any questions concerning this matter.

Sincerely,


Andy Russell, P.E.
District Engineer

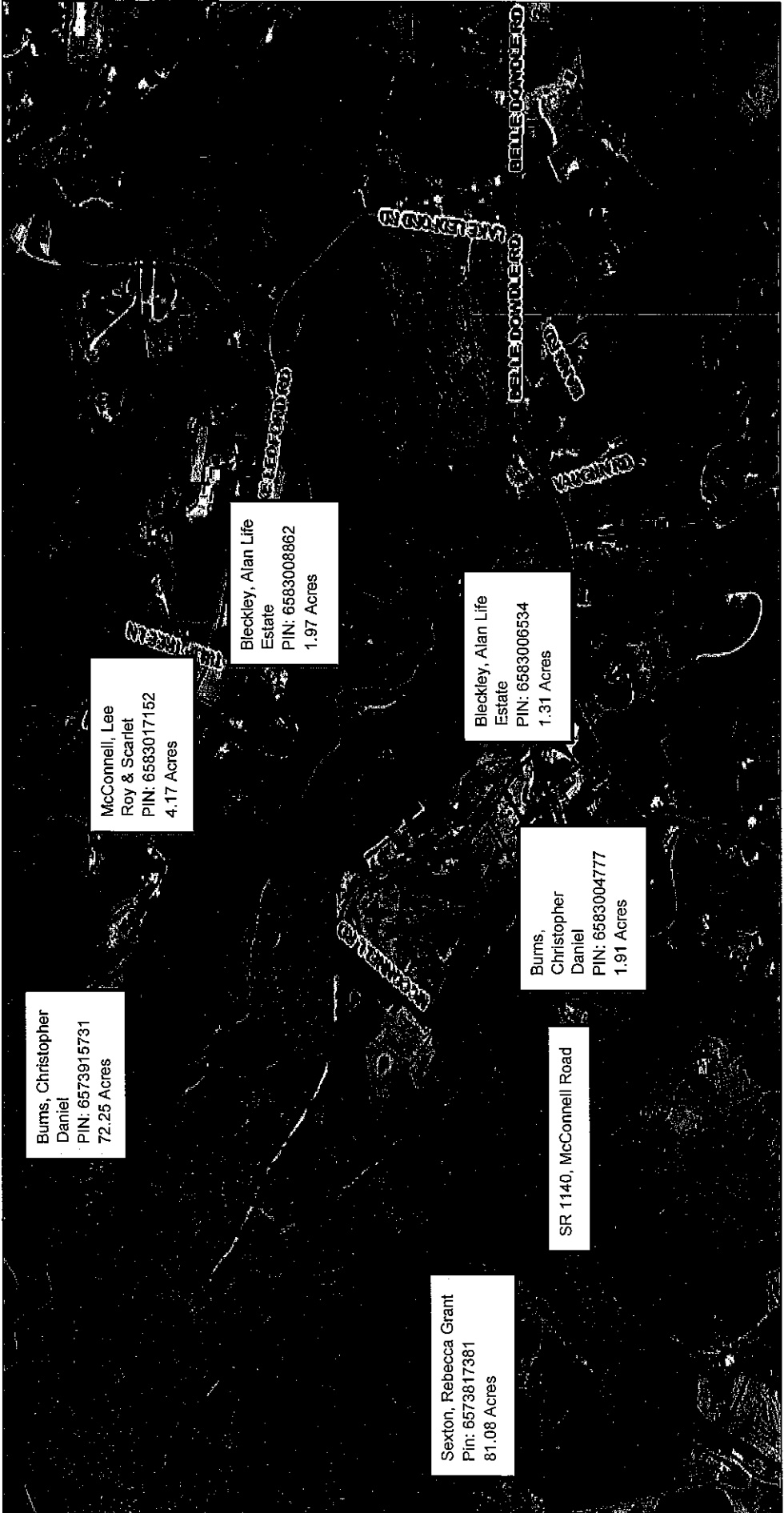
cc: Mr. Mark Hill, P.E., Macon County Maintenance Engineer

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
ANDREWS DISTRICT OFFICE
191 ROBBINSVILLE ROAD
ANDREWS, NC 28901

Telephone: (828) 321-4105
Fax: (828) 321-3228
Customer Service: 1-877-368-4968

Website: www.ncdot.gov

Location:
191 ROBBINSVILLE ROAD
ANDREWS, NC 28901



Burns, Christopher
Daniel
PIN: 6573915731
72.25 Acres

McConnell, Lee
Roy & Scarlet
PIN: 6583017152
4.17 Acres

Bleckley, Alan Life
Estate
PIN: 6583008862
1.97 Acres

Bleckley, Alan Life
Estate
PIN: 6583006534
1.31 Acres

Burns,
Christopher
Daniel
PIN: 6583004777
1.91 Acres

SR 1140, McConnell Road

Sexton, Rebecca Grant
Pin: 6573817381
81.08 Acres

Macon County

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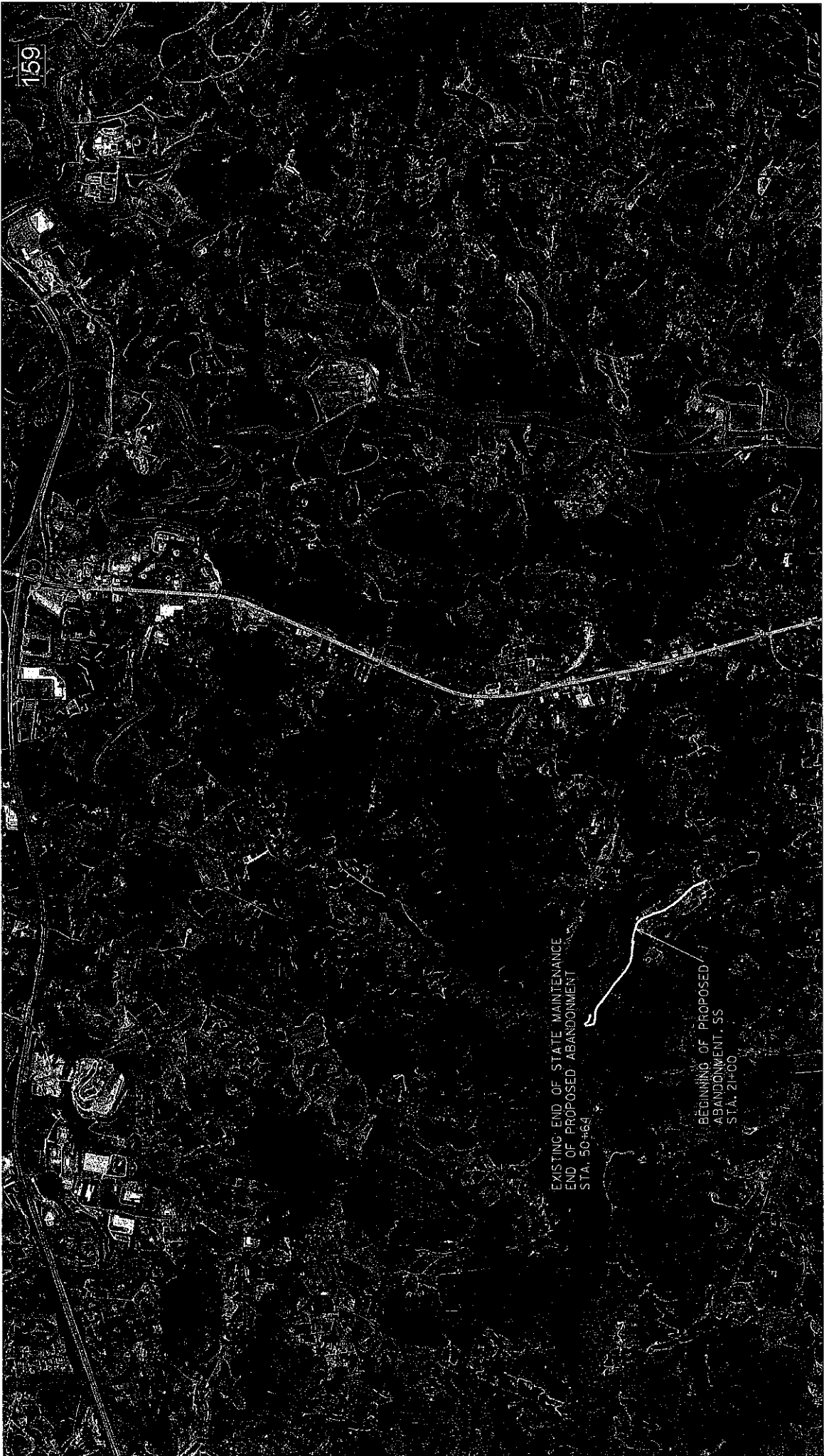
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0 0.125 0.25
0.3 mi
0.5 km

February 11, 2020





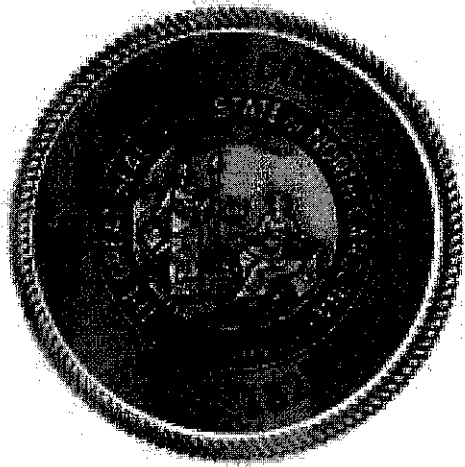
EXISTING END OF STATE MAINTENANCE
END OF PROPOSED ABANDONMENT
STA. 50+64

BEGINNING OF PROPOSED
ABANDONMENT, SS
STA. 21+00

New fees proposed by Finance Committee at 6/12/2020 meeting listed below.

CODE	DESCRIPTION	MEDICAID REIMBURSEMENT RATE/OUR COST	OUR PROPOSED FEE TO PATIENTS
99441	TELEPHONE E/M SERVICE PROVIDED BY A PHYSICIAN TO AN ESTABLISHED PATIENT, NOT ORIGINATING FROM A RELATED E/M SERVICE PROVIDED WITHIN THE PREVIOUS 7 DAYS NOR LEADING TO AN E/M SERVICE OR PROCEDURE WITHIN THE NEXT 24 HOURS OR SOONEST AVAILABLE APPOINTMENT, 5-10 MINUTE MEDICAL DISCUSSION	\$59.78	\$72
99442	SAME AS 99441, BUT 11-20 MINUTES IN LENGTH	\$82.59	\$121
99443	SAME AS 99441, BUT 21-30 MINUTES IN LENGTH	\$119.13-\$128.24	\$209
87635	COVID-19 TESTING	MEDICAID = \$68.08 / LABCORP COST \$51.31	\$72

2019-2020



**MACON COUNTY COMMUNITY
NEEDS ASSESSMENT REPORT**

Macon County Community Needs Assessment Report

At the February 21, 2019 meeting of The Macon County Planning Board, Commissioner Liaison Karl Gillespie charged The Planning Board with performing a community needs assessment. This charge was to consist of going throughout the county and assessing the needs of the individual communities.

The Planning Board voted to use sections of the revised Comprehensive Plan for Macon County to initiate discussion for these meetings. Seven sections of the comprehensive plan were used; **Public Service, Housing, Recreation, Education, Healthcare, Transportation and Economic Development**. These seven topics along with a topic labeled **Other** were written on easel pads and placed on walls throughout the meeting room. Each member of the public in attendance were given three sticky notes and instructed to write one community need on each sticky note and place it under the topic it best fit. The sticky notes were colored for level of importance with red being the most important, yellow being the second most important and blue being the third most important.

In March of 2019 the Planning Board began this process with a meeting in the Nantahala Community. For the next year the Planning Board visited 12 communities throughout the county. The results of these meeting are listed below.

Nantahala (March 21, 2019)

Approximate Community Attendance-21

Community Needs

- 1. New Library/Community Center with Internet Access:** Appeared on 20 sticky notes (9 Reds, 7 Yellows and 4 Blues).
- 2. Broadband Internet/Cell Phone Coverage:** Appeared on 7 sticky notes (1 Red, 1 Yellow and 5 Blue).
- 3. Law Enforcement Presence Stationed Within Community:** Appeared on 6 sticky notes (3 Red and 3 Blue).
- 4. Keep Nantahala Lake Level up Longer:** Appeared on 5 sticky notes (2 Red, 2 Yellow and 1 Blue).
- 5. Senior Center/Activities for Seniors Within the Community/ Outreach from Crawford Center:** Appeared on 4 sticky notes (1 Red, 1 Yellow and 2 Blue).
- 6. Lakeside Swimming Area:** Appeared on 4 sticky notes (1 Red, 1 Yellow and 2 Blue).
- 7. NCDOT Road Maintenance (Paving, Mowing and Trash)/Repave Wayah and Junaluska Roads:** Appeared on 4 sticky notes (3 Yellow and 1 Blue).
- 8. Public Health Clinic Located Within Community:** Appeared on 3 sticky notes (2 Yellow and 1 Blue).

Macon County Community Needs Assessment Report

9. **Update Ambulance:** Appeared on 2 sticky notes (2 Red).
10. **Improved Communication System for Fire Department:** Appeared on 2 sticky notes (2 Red).
11. **Resident of the Nantahala Community on the Planning Board:** Appeared on 1 sticky note (1 Yellow).
12. **Promote Business and Job Growth:** Appeared on 1 sticky note (1 Yellow).

Cartoogechaye (April 18, 2019)

Approximate Community Attendance- 5

Community Needs

1. **Affordable Housing Options:** Appeared on 3 sticky notes (1 Red, 1 Yellow and 1 Blue).
2. **Healthcare/More Doctors and Specialist/Hospital:** Appeared on 2 sticky notes (1 Yellow and 1 Blue).
3. **Broadband Internet/Cell Phone Coverage:** Appeared on 1 sticky note (Blue).
4. **Larger/Additional Recycling Centers:** Appeared on 1 sticky note (Red).
5. **Affordable Pre-K/Childcare:** Appeared on 1 sticky note (Red).
6. **New High School:** Appeared on 1 sticky note (Red).
7. **Steep Slope Development Regulations:** Appeared on 1 sticky note (Red).
8. **More Social Workers:** Appeared on 1 sticky note (Yellow).

Cowee (May 16, 2019)

Approximate Community Attendance-14

Community Needs

1. **Need Minimum Housing Standards/Garbage, Debris and Run-Down Houses:** Appeared on 8 sticky notes (1 Red, 4 Yellow and 3 Blue).
2. **Healthcare/More Doctors and Specialist/Hospital:** Appeared on 7 sticky notes (3 Red, 3 Yellow and 1 Blue).
3. **NCDOT Road Maintenance (Paving, Mowing and Trash)/Improve Intersection of Cowee Creek Rd and Highway 28:** Appeared on 6 sticky notes (4 Red, 1 Yellow and 1 Blue).
4. **Broadband Internet/Cell Phone Coverage:** Appeared on 5 sticky notes (2 Red, 2 Yellow and 1 Blue).
5. **Promote Business and Job Growth:** Appeared on 3 sticky notes (1 Red and 2 Blue).

Macon County Community Needs Assessment Report

- 6. Law Enforcement Presence Stationed Within Community:** Appeared on 2 sticky notes (1 Red and 1 Yellow).
- 7. After School Programs for Students:** Appeared on 2 sticky notes (1 Red and 1 Blue).

Otto (June 20, 2019)

Approximate Community Attendance-35

Community Needs

- 1. Broadband Internet/Cell Phone Coverage:** Appeared on 34 sticky notes (18 Red, 9 Yellow and 5 Blue).
- 2. NCDOT Road Maintenance (Paving, Mowing and Trash)/ Right Turn Lane into Firehouse Road:** Appeared on 12 sticky notes (5 Red, 1 Yellow and 6 Blue).
- 3. Little Tennessee River Access Point and Picnic Area on Riverside Road:** Appeared on 10 sticky notes (5 Yellow and 5 Blue).
- 4. Promote Business and Job Growth:** Appeared on 6 sticky notes (2 Red, 1 Yellow and 3 Blue).
- 5. Increase Funding for Appalachian Animal Shelter:** Appeared on 5 sticky notes (3 Red, 1 Yellow and 1 Blue).
- 6. Services for the Homeless/Shelters/Food Banks:** Appeared on 5 sticky notes (1 Red, 2 Yellow and 2 Blue).
- 7. Increase Funding for Education/Teacher Pay/Supplies:** Appeared on 4 sticky notes (1 Red, 2 Yellow and 1 Blue).
- 8. After School Program for Students:** Appeared on 4 sticky notes (1 Red, 1 Yellow and 2 Blue).
- 9. Recreation Park within Community:** Appeared on 3 sticky Notes (2 Yellow and 1 Blue).
- 10. Ambulance Stationed at Otto Fire Department:** Appeared on 3 sticky notes (2 Yellow and 1 Blue).
- 11. Crawford Center/Expand Services/New Building:** Appeared on 2 sticky notes (1 Red and 1 Yellow).
- 12. Greenway Extension from Otto to Franklin:** Appeared on 2 sticky notes (1 Yellow and 1 Blue).
- 13. Protect Waterways:** Appeared on 2 sticky notes (2 Yellow).
- 14. Affordable Housing Options:** Appeared on 1 sticky note (1 Red).

Macon County Community Needs Assessment Report

Holly Springs (July 18, 2019)

Approximate Community Attendance-16

Community Needs

1. **Broadband Internet/Cell Phone Coverage:** Appeared on 13 sticky notes (9 Red, 3 Yellow and 1 Blue).
2. **More Convenient Recycling Center/Keep a Recycling Center in Holly Springs:** Appeared on 9 sticky notes (2 Red, 4 Yellow and 3 Blue).
3. **NCDOT Road Maintenance (Paving, Mowing and Trash)/Improve Rabbit Creek Road from 441N to Corbin Road:** Appeared on 8 sticky notes (2 Red, 2 Yellow and 4 Blue).
4. **Healthcare/More Doctors and Specialist/Hospital:** Appeared on 3 sticky notes (1 Red, 1 Yellow and 1 Blue).
5. **Increase Funding for Public Libraries:** Appeared on 3 sticky notes (1 Red and 2 Yellow).
6. **Recreation Center with a Skate Park:** Appeared on 3 sticky notes (1 Yellow and 2 Blue).
7. **Support Arts Programs in Public Schools:** Appeared on 2 sticky notes (1 Red and 1 Yellow).
8. **More Walking, Hiking and Biking Trails:** Appeared on 2 sticky notes (2 Blue).
9. **Affordable Pre-K/Childcare:** Appeared on 1 sticky note (Yellow).
10. **New High School:** Appeared on 1 sticky note (Blue).

Clarks Chapel (August 15, 2019)

Approximate Community Attendance-20

Community Needs

1. **NCDOT Road Maintenance (Paving, Mowing and Trash)/Guard Rails on Dowdle Mountain Road/Keep Traffic Signal at Intersection of 441 and Prentiss Bridge Road:** Appeared on 14 sticky notes (5 Red, 5 Yellow and 4 Blue).
2. **Need Minimum Housing Standards/Garbage, Debris and Run-Down Houses:** Appeared on 12 sticky notes (9 Red, 1 Yellow and 2 Blue).
3. **Healthcare/More Doctors and Specialist/Hospital:** Appeared 4 sticky notes (1 Red and 3 Yellow).
4. **Broadband Internet/Cell Phone Coverage:** Appeared on 3 sticky notes (1 Red and 2 Blue).

Macon County Community Needs Assessment Report

5. **Recycling Center within Clarks Chapel Community:** Appeared on 2 sticky notes (1 Red and 1 Yellow).
6. **New High School:** Appeared on 2 sticky notes (1 Yellow and 1 Blue).
7. **Noise/Animal Control Ordinance (Barking Dogs):** Appeared on 2 sticky notes (2 Yellow).
8. **Promote Business and Job Growth:** Appeared on 2 sticky notes (1 Red and 1 Blue).
9. **Increase Funding for Education/Teacher Pay/Supplies:** Appeared on 1 sticky note (1 Red).
10. **Affordable Housing Options:** Appeared on 1 sticky note (1 Yellow).

Carson (September 19, 2019)

Approximate Community Attendance-3

Community Needs

1. **Healthcare/More Doctors and Specialist/Hospital:** Appeared on 2 sticky notes (1 Red and 1 Yellow).
2. **Bigger More Convenient Recycling Center:** Appeared on 2 sticky notes (1 Yellow and 1 Blue).
3. **Expand Macon Transit/Improve Scheduling:** Appeared on 1 sticky note (1 Red).
4. **Trades Focused High School/Community College Option for Students:** Appeared on 1 sticky note (1 Red).
5. **Affordable Housing Options:** Appeared on 1 sticky note (1 Yellow).
6. **Broadband Internet/Cell Phone Coverage:** Appeared on 1 sticky note (1 Blue).

Scaly Mountain (October 17, 2019)

Approximate Community Attendance-3

Community Needs

1. **Broadband Internet/Cell Phone Coverage:** Appeared on 2 sticky notes (1 Red and 1 Blue).
2. **Community Park for Scaly Mt Area/Bathrooms/Tennis and Basketball Courts:** Appeared on 2 sticky notes (1 Red and 1 Blue).
3. **Promote Business and Job Growth:** Appeared on 1 sticky note (1 Red).
4. **Affordable Housing Options:** Appeared on 1 sticky note (1 Yellow).
5. **After School Program for Students:** Appeared on 1 sticky note (1 Yellow).
6. **Fund Scaly Mountain Community Center:** Appeared on 1 sticky note (1 Yellow).

Macon County Community Needs Assessment Report

Highlands (November 21, 2019)

Approximate Community Attendance-0

Community Needs

After the Highlands meeting, the Planning Department received a letter from a resident of Highlands stating these community needs.

1. **Affordable Housing Options**
2. **Healthcare/More Doctors and Specialist**
3. **EMS Base**

Cullasaja (January 9, 2020)

Approximate Community Attendance-11

Community Needs

1. **Healthcare/More Doctors and Specialist/Hospital:** Appeared on 9 sticky notes (4 Red, 4 Yellow and 1 Blue).
2. **NCDOT Road Maintenance (Paving, Mowing and Trash)/Improve Buck Creek Road:** Appeared on 8 sticky notes (2 Red, 5 Yellow and 1 Blue)
3. **Increased Community Involvement in Community Clubs:** Appeared on 4 sticky notes (4 Blue).
4. **Broadband Internet/Cell Phone Coverage:** Appeared on 2 sticky notes (2 Red).
5. **Increase Funding for Education:** Appeared on 2 sticky notes (1 Red and 1 Yellow).
6. **Affordable Housing Options:** Appeared on 2 sticky notes (2 Blue).
7. **Law Enforcement Presence Stationed within Community:** Appeared on 1 sticky note (1 Red).
8. **Public Access to Cullasaja River/Intersection of Nickajack and River Road:** Appeared on 1 sticky note (1 Red).
9. **Promote Business and Job Growth:** Appeared on 1 sticky note (1 Blue).

Macon County Community Needs Assessment Report

Burningtown (February 13, 2020)

Approximate Community Attendance-4

Community Needs

- 1. Broadband Internet/Cell Phone Coverage:** Appeared on 5 sticky notes (3 Red and 2 Blue).
- 2. Healthcare/More Doctors and Specialist/Hospital:** Appeared on 4 sticky notes (1 Red, 1 Yellow and 2 Blue).
- 3. Recreation Center/Park in Burningtown Area:** Appeared on 1 sticky note (1 Yellow).

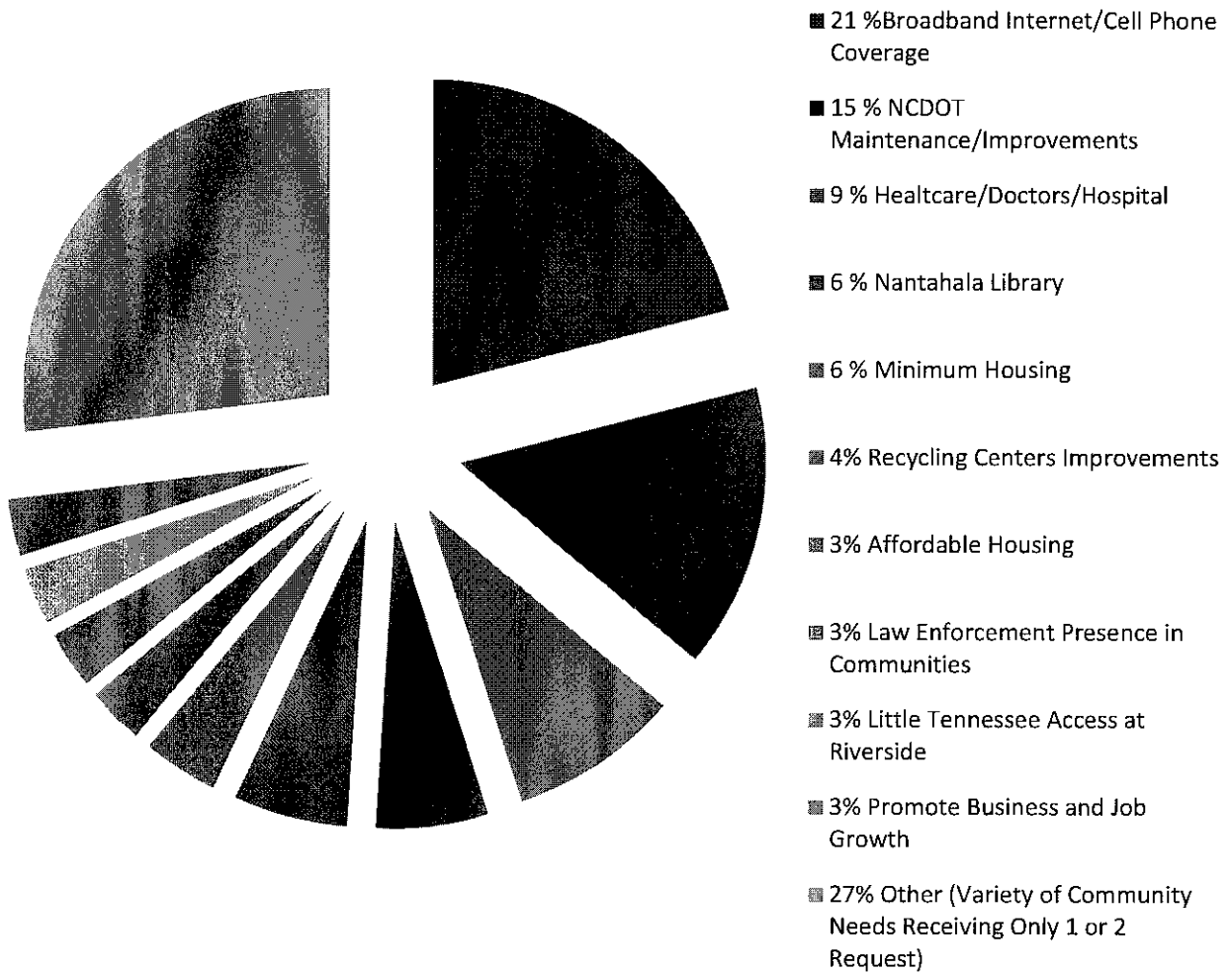
Franklin (March 12, 2020)

Approximate Community Attendance-0

10 MOST FREQUENTLY APPEARING COMMUNITY NEEDS

- 1. Broadband Internet/Cell Phone Coverage**
- 2. NCDOT Road Maintenance (Paving, Mowing and Trash)/Road Improvements**
- 3. Healthcare/More Doctors and Specialist/Hospital**
- 4. New Library/Community Center In Nantahala**
- 5. Need Minimum Housing Standards/Garbage, Debris and Run-Down Houses**
- 6. Recycling Center Improvements**
- 7. Affordable Housing Options**
- 8. Little Tennessee River Access Point and Picnic Area on Riverside Road**
- 9. Law Enforcement Presence Stationed within Communities**
- 10. Promote Business and Job Growth**

Community Need Requests (343 Responses)





Designation of Voting Delegate to NCACC Annual Conference

I, _____, hereby certify that I am the duly designated voting delegate for _____ County at the 113th Annual Conference of the North Carolina Association of County Commissioners to be held during the **virtual*** Annual Business Session on August 6, 2020, at 11 a.m.

Voting Delegate Name: _____

Title: _____

In the event the designated voting delegate is unable to attend, _____ has been selected as _____ County's alternate voting delegate.

Alternate Voting Delegate Name: _____

Title: _____

Article VI, Section 2 of our Constitution provides:

“On all questions, including the election of officers, each county represented shall be entitled to one vote, which shall be the majority expression of the delegates of that county. The vote of any county in good standing may be cast by any one of its county commissioners who is present at the time the vote is taken; provided, if no commissioner be present, such vote may be cast by another county official, elected or appointed, who holds elective office or an appointed position in the county whose vote is being cast and who is formally designated by the board of county commissioners. These provisions shall likewise govern district meetings of the Association. A county in good standing is defined as one which has paid the current year's dues.”

Please return this form to Alisa Cobb via email by **Monday, August 3, 2020** close of business:

Email: alisa.cobb@ncaacc.org

***Please note – due to the COVID-19 pandemic, the 113th NCACC Annual Conference will be held virtually with voting taking place via an electronic platform.**

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

CATEGORY – CONSENT AGENDA

MEETING DATE: July 14, 2020

Item 12A. A draft copy of the minutes of the May 12, 2020 regular meeting will be provided to you via email prior to the meeting. (Mike Decker)

Item 12B. Budget Amendments #9-23 are attached for your review and approval. (Lori Carpenter)

Item 12C. A copy of tax releases in the amount of \$513.36 for the month of June is attached for your review and approval. (Teresa McDowell)

Item 12D. Tax Administrator Abby Braswell is requesting board approval to refund \$415.28 stemming from an appeal that has been settled with the Property Tax Commission, and a memorandum from her is included in the packet.

Item 12E. A copy of the ad valorem tax collections report for the month of June, which shows an overall 98.35 percent collection rate as of 06.30.20. No action is required on this item. (Teresa McDowell)

MACON COUNTY BUDGET AMENDMENT
 AMENDMENT # 9

FROM: Lindsay Leopard

DEPARTMENT: Sheriff's Office

EXPLANATION: Appropriate funds for fingerprint machine not delivered by 6/30/2020.

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
113840 - 417900	Fund Balance Appropriated	\$20,875.00	
114321 - 569502	Capital Equipment	\$20,875.00	

REQUESTED BY DEPARTMENT HEAD [Signature]

RECOMMENDED BY FINANCE OFFICER [Signature]

APPROVED BY COUNTY MANAGER _____

ACTION BY BOARD OF COMMISSIONERS 7/14/20 meeting

APPROVED AND ENTERED ON MINUTES DATED _____

CLERK _____

MACON COUNTY BUDGET AMENDMENT

AMENDMENT #

10

DEPARTMENT

11-4370

EXPLANATION

NANTAHALA HEALTH FOUNDATION GRANT

ACCOUNT		DESCRIPTION	INCREASE	DECREASE
113840	417900	FUND BALANCE APPROPRIATED	\$ 19,844.00	
114370	556005	COMPUTER SUPPLIES	\$ 19,844.00	

REQUESTED BY DEPARTMENT HEAD

RECOMMENDED BY FINANCE OFFICER

APPROVED BY COUNTY MANAGER

ACTION BY BOARD OF COMMISSIONERS

APPROVED & ENTERED ON MINUTES DATED

CLERK

7/14/2020 meeting

MACON COUNTY BUDGET AMENDMENT

AMENDMENT # 11

DEPARTMENT 11-4375

EXPLANATION DOGWOOD HEALTH TRUST "PPE DISTRIBUTION" GRANT

ACCOUNT		DESCRIPTION	INCREASE	DECREASE
113850	445807	Donations - Ems	\$ 5,000.00	
114375	556011	OPERATING	\$ 5,000.00	

REQUESTED BY DEPARTMENT HEAD

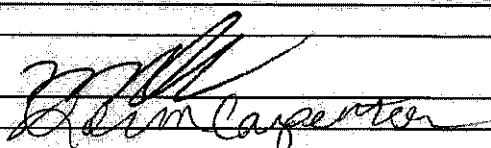
RECOMMENDED BY FINANCE OFFICER

APPROVED BY COUNTY MANAGER

ACTION BY BOARD OF COMMISSIONERS

APPROVED & ENTERED ON MINUTES DATED

CLERK


7/14/2020 meeting

MACON COUNTY BUDGET AMENDMENT

AMENDMENT # 12

DEPARTMENT 11-4375

EXPLANATION DOGWOOD HEALTH TRUST "STRIKE TEAM INNOVATION" GRANT

ACCOUNT		DESCRIPTION	INCREASE	DECREASE
113850	445807	Donations - EMS	\$ 5,000.00	
114375	445807	Operating	\$ 5,000.00	

REQUESTED BY DEPARTMENT HEAD _____

RECOMMENDED BY FINANCE OFFICER [Signature]

APPROVED BY COUNTY MANAGER _____

ACTION BY BOARD OF COMMISSIONERS 7/14/2020 meeting

APPROVED & ENTERED ON MINUTES DATED _____

CLERK _____

MACON COUNTY BUDGET AMENDMENT

AMENDMENT # 13
DEPARTMENT 11-4375
EXPLANATION TIER II GRANT

ACCOUNT		DESCRIPTION	INCREASE	DECREASE
114375	560903	NCDEM TIER II GRANT	\$ 9,500.00	
113850	435524	<i>NCDEM TIER II GRANT</i>	\$ 9,500.00	

REQUESTED BY DEPARTMENT HEAD _____
RECOMMENDED BY FINANCE OFFICER *[Signature]*
APPROVED BY COUNTY MANAGER _____
ACTION BY BOARD OF COMMISSIONERS 7/14/2020 meeting
APPROVED & ENTERED ON MINUTES DATED _____
CLERK _____

MACON COUNTY BUDGET AMENDMENT

AMENDMENT #

14

DEPARTMENT

Non-departmental

EXPLANATION

Carry forward funds received from State Coronavirus Relief Fund (through CARES Act).

ACCOUNT		DESCRIPTION	INCREASE	DECREASE
113840	417900	FUND BALANCE APPROPRIATED	833,421.00	
119900	561102	CARES ACT	833,421.00	

REQUESTED BY DEPARTMENT HEAD _____

RECOMMENDED BY FINANCE OFFICER [Signature]

APPROVED BY COUNTY MANAGER _____

ACTION BY BOARD OF COMMISSIONERS 7/14/2020 meeting

APPROVED & ENTERED ON MINUTES DATED _____

CLERK _____

MACON COUNTY BUDGET AMENDMENT

AMENDMENT #

15

DEPARTMENT

Non-departmental

EXPLANATION

Carry forward for expenses related to COVID-19.

ACCOUNT		DESCRIPTION	INCREASE	DECREASE
113840	417900	FUND BALANCE APPROPRIATED	41,636.00	
119900	561101	DISASTER RELIEF FUNDS	41,636.00	

REQUESTED BY DEPARTMENT HEAD _____

RECOMMENDED BY FINANCE OFFICER *Kevin Carpenter*

APPROVED BY COUNTY MANAGER _____

ACTION BY BOARD OF COMMISSIONERS 7/14/2020 meeting

APPROVED & ENTERED ON MINUTES DATED _____

CLERK _____

MACON COUNTY BUDGET AMENDMENT

AMENDMENT #

16

DEPARTMENT

Health

EXPLANATION

Carry forward funds from CARES act provider relief funds to cover school nurses working on COVID-19.

ACCOUNT		DESCRIPTION	INCREASE	DECREASE
115121	550001	SALARY	27,507.00	
115121	550201	MEDICARE/FICA	2,104.00	
115121	550207	RETIREMENT	2,814.00	
115121	550701	401K	550.00	
115121	556011	OPERATING SUPPLIES	15,079.00	
113840	417900	FUND BALANCE APPROPRIATED	48,054.00	

REQUESTED BY DEPARTMENT HEAD Kathy McPhee 7/7/20
 RECOMMENDED BY FINANCE OFFICER Shirley Casate
 APPROVED BY COUNTY MANAGER _____
 ACTION BY BOARD OF COMMISSIONERS 7/14/2020 meeting
 APPROVED & ENTERED ON MINUTES DATED _____
 CLERK _____

MACON COUNTY BUDGET AMENDMENT
 AMENDMENT # 19

DEPARTMENT: HEALTH

EXPLANATION: Carry forward unexpended grant money to current FY 21

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
113840-417900	Fund Balance Appropriated	29,244	
115128-555113	Community Foundation of WNC	29,244	

REQUESTED BY DEPARTMENT HEAD Karen M. White Shana D. Clark

RECOMMENDED BY FINANCE OFFICER Ron Carpenter

APPROVED BY COUNTY MANAGER _____

ACTION BY BOARD OF COMMISSIONERS 7/14/2020 meeting

APPROVED AND ENTERED ON MINUTES DATED _____

CLERK _____

MACON COUNTY BUDGET AMENDMENT
 AMENDMENT # 18

DEPARTMENT: HEALTH

EXPLANATION: Carry forward unexpended grant money to current FY 21

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
113840-417900	Fund Balance Appropriated	1,571.00	
115128-555126	MountainWise Services	1,571.00	

REQUESTED BY DEPARTMENT HEAD Kane H. Nala Shana D. Clark

RECOMMENDED BY FINANCE OFFICER Adam Caruso

APPROVED BY COUNTY MANAGER _____

ACTION BY BOARD OF COMMISSIONERS 7/14/2020 meeting

APPROVED AND ENTERED ON MINUTES DATED _____

CLERK _____

MACON COUNTY BUDGET AMENDMENT

AMENDMENT # 19

DEPARTMENT Maintenance

EXPLANATION Carry forward funds for repair of town square clock. Vendor unable to perform work by 6/30 due to COVID-19.

ACCOUNT	DESCRIPTION	INCREASE	DECREASE
113840 417900	FUND BALANCE APPROPRIATED	8,620	
114260 556603	PROPERTY/BUILDING IMPROVEMENTS	8,620	

REQUESTED BY DEPARTMENT HEAD Michael B. Cape
RECOMMENDED BY FINANCE OFFICER [Signature]
APPROVED BY COUNTY MANAGER
ACTION BY BOARD OF COMMISSIONERS 7/14/2020 meeting
APPROVED & ENTERED ON MINUTES DATED
CLERK

Seq Nbr	Date	Account Number	Taxbill Number	Tax Code	Transaction Amount	Levy Amount	Penalty Amount	Addl Chgs	Interest Amount	Discont Amount	Tru Check Cde	Trans Rev Description
4	06/22/20	4118	15A0000301012	G01	34.90-	34.90-	0.00	0.00	0.00	0.00	R	CLERICA
***			ROSENTHALL, ARTHUR J		34.90-	34.90-	0.00	0.00	0.00	0.00	R	CLERICA
5	06/22/20	4118	16A0000301012	G01	34.90-	34.90-	0.00	0.00	0.00	0.00	R	CLERICA
***			ROSENTHALL, ARTHUR J		34.90-	34.90-	0.00	0.00	0.00	0.00	R	CLERICA
6	06/22/20	4118	17A0000301012	G01	34.90-	34.90-	0.00	0.00	0.00	0.00	R	CLERICA
***			ROSENTHALL, ARTHUR J		34.90-	34.90-	0.00	0.00	0.00	0.00	R	CLERICA
7	06/22/20	4118	18A0000301012	G01	34.90-	34.90-	0.00	0.00	0.00	0.00	R	CLERICA
***			ROSENTHALL, ARTHUR J		34.90-	34.90-	0.00	0.00	0.00	0.00	R	CLERICA
1	06/19/20	75242	19A75242.07	G01 F03 L01	21.09- 3.85- 95.00-	21.09- 3.85- 95.00-	0.00 0.00 0.00	0.00	0.00	0.00	R	CLERICA
***			SANDEFUR, PAMELA		119.94-	24.94-	0.00	95.00-	0.00	0.00	R	CLERICA
2	06/19/20	75242	18A75242.07	G01 F03 L01	21.00- 3.91- 95.00-	21.00- 3.91- 95.00-	0.00 0.00 0.00	0.00	0.00	0.00	R	CLERICA
***			SANDEFUR, PAMELA		119.91-	24.91-	0.00	95.00-	0.00	0.00	R	CLERICA
3	06/19/20	75242	17A75242.07	G01 F03 L01	20.18- 3.76- 95.00-	20.18- 3.76- 95.00-	0.00 0.00 0.00	0.00	0.00	0.00	R	CLERICA
***			SANDEFUR, PAMELA		118.94-	23.94-	0.00	95.00-	0.00	0.00	R	CLERICA
8	06/22/20	42454	19A0000300985	G01	9.97-	9.97-	0.00	0.00	0.00	0.00	R	CLERICA
***			STANFIELD, EDWINA		9.97-	9.97-	0.00	0.00	0.00	0.00	R	CLERICA
9	06/22/20	42454	19A0000300985	A0	5.00-	5.00-	0.00	5.00-	0.00	0.00	R	CLERICA
***			STANFIELD, EDWINA		5.00-	5.00-	0.00	5.00-	0.00	0.00	R	CLERICA

Seq Nbr	Date	Account Number	Taxbill Number	Tax Code	Transaction Amount	Levy Amount	Penalty Amount	Add Chgs	Interest Amount	Discnt Amount	Trn Check Cde	Trans Rev	Description
Abatement													
				Tax Code Totals									
				A0*19 - ADV COST	5.00-	0.00	0.00	5.00-	0.00	0.00		0.00	
				F03*17- CUTO FR	3.76-	3.76-	0.00	0.00	0.00	0.00		0.00	
				F03*18- CUTO FR	3.91-	3.91-	0.00	0.00	0.00	0.00		0.00	
				F03*19- CUTO FR	3.85-	3.85-	0.00	0.00	0.00	0.00		0.00	
				G01*15- GEN TAX	34.90-	34.90-	0.00	0.00	0.00	0.00		0.00	
				G01*16- GEN TAX	34.90-	34.90-	0.00	0.00	0.00	0.00		0.00	
				G01*17- GEN TAX	55.08-	55.08-	0.00	0.00	0.00	0.00		0.00	
				G01*18- GEN TAX	55.90-	55.90-	0.00	0.00	0.00	0.00		0.00	
				G01*19- GEN TAX	31.06-	31.06-	0.00	0.00	0.00	0.00		0.00	
				L01*17- RES FEE	95.00-	0.00	0.00	95.00-	0.00	0.00		0.00	
				L01*18- RES FEE	95.00-	0.00	0.00	95.00-	0.00	0.00		0.00	
				L01*19- RES FEE	95.00-	0.00	0.00	95.00-	0.00	0.00		0.00	
				Total for Group	513.36-	223.36-	0.00	290.00-	0.00	0.00		0.00	
				REL*20*06									

***** Totals By Tax Cycle *****
 Cycle Current Delinquent
 A 0.00 513.36-



**MACON COUNTY TAX OFFICE
5 WEST MAIN STREET
FRANKLIN, NC 28734**

MEMORANDUM

TO: Mike Decker
FROM: Abby Braswell
cc: Macon County Board of Commissioners
Date: July 6, 2020
Re: Refund By Property Tax Commission

The last appeal has been settled with the Property Tax Commission. Based on the new assessment from the Property Tax Commission a refund will need to be issued. The refund amount is listed below.

Chester Coles parcel 7551-63-3308 :	\$207.64
Chester Coles parcel 7551-63-2109	\$207.64
Total refund amount :	\$415.28

With the approval from the Board of Commissioners the last appeal will be settled and closed. Thank you for your consideration of this needed approval.

MACON COUNTY MONTHLY
AD VALOREM TAX COLLECTIONS REPORT

Jun-20

Month to Date	Beginning Balance	Levy Added	Less Releases	Less Write-Offs	Equals Adj Levy	Gross Payments	Less Refunds	Misc Dr/Cr	Net Payments	Outstanding Balance
General Tax	564213.32	6283.46	-31.06	-1.47	570464.25	-91699.04	536.28	152.36	-91010.4	479453.85
Fire Districts	88175.24	1215.89	-3.85	-0.23	89387.05	-12329.7	0	46.44	-12283.26	77103.79
Landfill User Fee	97157.52	0	-95	0	97062.52	-10029.42	0	32.62	-9996.8	87065.72
Totals	749546.08	7499.35	-129.91	-1.7	756913.82	-114058.16	536.28	231.42	-113290.46	643623.36

Year to Date	Beginning Balance	Levy Added	Less Releases	Less Write-Offs	Equals Adj Levy	Gross Payments	Less Refunds	Misc Dr/Cr	Net Payments	Outstanding Balance	Collection Percentage
General Tax	840.83	29034901.47	-17074.37	-1239.7	29017428.23	-28721853.25	150268.36	33610.51	-28537974.38	479453.85	98.35
Fire Districts	256.26	4001129.74	-2685.81	-186.56	3998513.63	-3925281.97	0	3872.13	-3921409.84	77103.79	98.07
Landfill User Fee	0	2554550	-1805	-20.28	2552774.72	-2467788.84	0	2129.84	-2465659	87065.72	96.59
Totals	1097.09	35590581.21	-21565.18	-1446.54	35568666.58	-35114924.06	150268.36	39612.48	-34925043.22	643623.36	98.19

The Collection Rate is 98.35% collected on 2019 General Taxes, late listing penalties, discoveries and deferred taxes as of 6/30/2020 as compared to 98.3% on 2018 taxes as of 6/30/2019

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

CATEGORY – APPOINTMENTS

MEETING DATE: July 14, 2020

13(A). **Highlands Tourism Development Commission** – Per Chairman Tate, consideration of John Woods as a member of the Highlands Tourism Development Commission (TDC) representing the Highlands Chamber of Commerce. Term of office will be for three years, expiring July 14, 2023.

MACON COUNTY BOARD OF COMMISSIONERS

AGENDA ITEM

CATEGORY – CLOSED SESSION

MEETING DATE: July 14, 2020

14. The need for a closed session is warranted under NCGS 143.318.11(a)(3) for attorney/client privilege and under 143-318.11(a)(5) regarding real property.