

MACON COUNTY BOARD OF COMMISSIONERS
AUGUST 11, 2020
MINUTES

Chairman Tate called the meeting to order at 6:02 p.m. and welcomed those in attendance. Due to Gov. Roy Cooper's Executive Order limiting the number of people at a mass gathering to 10 due to COVID-19, physical participation at the meeting in the boardroom was limited to that number. All five commissioners were physically present and practiced social distancing. County Manager Derek Roland was also present, as was Finance Director Lori Carpenter and County Attorney Chester Jones. Deputy Clerk Mike Decker watched the meeting via live stream. A reduced number of members of the media were allowed to attend.

ANNOUNCEMENTS: There were no announcements.

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

PLEDGE TO THE FLAG: Led by Mr. Roland, the pledge to the flag was recited.

PUBLIC COMMENT PERIOD: **Robert Cook** spoke in support for an increase in pay for members of the Macon County Sheriff's Department. Mr. Cook said he was a retired law enforcement officer, and described the sheriff's department as a "top-notch, professional organization." He said the department is down 11 deputies, and with an average base salary of about \$39,000, he cited the low pay as the reason so many officers move. He said older members of the staff leave for better pay and benefits, leaving a younger force. He told the commissioners that if you want the best and brightest, you need to pay, and asked the board to please consider raising their pay. **Debbie Westerman** asked if any progress had been made regarding the situation in Teem Hollow that she spoke about in the public comment period at the July board meeting. Mr. Jones said she left the meeting without him obtaining her contact information, and once he has that, he would set up an appointment with her. **Hilda Jones** told the board that she and her husband are the closest neighbors to the property in question on Teem Hollow. She said they moved here about eight and half years ago. She said the neighbors have moved in six "bashed up" campers in the last four years. She said the property has no weeds, no grass and trash everywhere. She said there is a stench coming from the property in the summer, and she and her husband

can't do yardwork because of it. She said they also burn rubber on the property and that she and her husband "gag in our house due to the smell." She said there is a lot of traffic going to and from this property, usually a car every 15 to 30 minutes, adding that the visitors stay less than five minutes. In addition, she said there is a woman who lives on the property who screams and yells all the time and goes around with only a thong on. She told the board that we feel like prisoners in our home, adding that the neighbors have no electricity and no water, and "stole our electricity off the front porch." She described the situation as embarrassing and told the board, "We don't know what to do about this." In closing, she said her adult children will not bring their children to her house due to the circumstances. When she finished speaking, Mr. Jones asked her to sign his contact list. **Heath Higdon** said he was at the meeting to represent Betty Norris, who he said lives on the "other side" from Mrs. Jones. He said Mrs. Norris is 75 and a widow who comes to her property her four or five times a year. However, he said she is now afraid to come here, and he added that "nobody wants to live next door to a meth lab." He told the board Mrs. Norris is paying taxes on something she can't use. He said the adjoining property has at least seven vehicles that don't run, septic has been seen running across the road, and there have been one or two explosions. "It's ruined people's property values," he said, and told the board that the neighboring homes are "useless" and "worthless" due to the circumstances. He also signed Mr. Jones' contact list. **Anita Lewis** told the board she has lived in the Teem Hollow area all her life, and while it used to be beautiful, she would not invite anyone up there. She said the residents on the property in question dump sewer in the branch and burn tires and mattresses. She said the property should be condemned, and told the board something has to be done. In regard to the woman who goes around on the property partially dressed, Ms. Lewis said, "I hope the lady doesn't get run over," adding that "somebody's gonna get her." Chairman Tate told her that the board has "a good gist" of the situation. Ms. Lewis began speaking directly to Mr. Jones, and **Sheriff Robert Holland** told the board that "everything you are hearing is accurate," saying he and his officers have been to the property lots of times and have arrested lots of people. Following several different conversations throughout the boardroom, **John McCall** spoke next. He told the board he does not live in the Teem Hollow area, but has seen the property and spoke to sewage running across the road and to rotting bags of trash. "I concur with everything these people have said," he told the board members, and offered to "load" them up in his truck and take them to the property. He also signed Mr. Jones' contact list. **Tracy Rowland** also spoke in regard to Teem Hollow, and told the board, "It's sad what has happened," adding that she has called the health department about the situation, which she described as "ridiculous." She signed Mr. Jones' contact list. **Elaine Marshall** told the board she lives on Ellijay Road on property that backs up to Teem Hollow. She spoke about sewage from a creek going into her yard, and added, "It's awful," and told the board members we are not exaggerating. She said the garbage and the vermin are bad and asked the board,

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“Please, please do something to protect the property owners.” At this point, several people in the room left the meeting and others came up to Mr. Jones and signed his contact list.

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

- To add consideration of a “Satisfaction of Security Instrument” under New Business as Item 11I, per Mr. Jones.

MACON COUNTY HOMELESS TASK FORCE PROPOSAL: Bob Bourke, the President of Macon New Beginnings, presented the board with a proposal to establish a homelessness task force in the county. A copy of background information that Mr. Bourke supplied to the board is attached (**Attachment 1**) and is hereby made a part of these minutes. He explained that the impetus for the project came from the Town of Franklin following his appearance at a town council meeting, where town officials asked him to return with a proposal. He said the community has to come up with a solution to the homeless problem and he wanted to involve as many people as possible in order to form “a cohesive Macon County response.” He noted that the faith-based community is involved. He told the board that it is “about time we start taking some steps.” Commissioner Beale suggested that Mr. Bourke might want to review the results of a study on homelessness prepared by the Macon County Health Department some years ago. During the ensuing discussion, Mr. Bourke pointed out that he is “not a proponent of government,” saying he wants to fix things, not talk about it. He also noted his belief that Jesus is the solution, and that relationship is very important, so no government funding. In the meantime, he said Macon New Beginnings would “continue to do the things we do.” No action was taken.

UPDATE ON COUNTY’S RESPONSE TO COVID-19:

(A) Kathy McGaha – Macon County Public Health: Mrs. McGaha told the board the county’s number of cases stood at 481, as the number of new cases has decreased over the last two weeks, and said the biggest question now is getting students back into the school system. She said North Carolina as a whole is seeing a leveling off in the number of cases as well. She did note that the county had recently experienced its fourth COVID-19 related death.

(B) Warren Cabe – Macon County Emergency Services: Mr. Cabe’s remarks centered on testing, as he first noted there would be a community testing event on Thursday, August 13th at Macon Middle School, and he also noted that Macon County Schools’ staff members would be tested prior to the start of the new school year.

(C) Sheriff Robert Holland: Sheriff Holland reported that none of the inmates at the Macon County Jail have the virus, and that in general,

“things seem to be going well.” The discussion then turned to salary issues in the sheriff’s department, including the amount of overtime worked by some officers.

(D)Derek Roland – Administration: Mr. Roland briefly addressed the salary issues in the sheriff’s department and told the board that a report on that would be forthcoming. He also addressed the impending start of the school year and the potential impact on employees who may need COVID-19 related leave as some students will attend class physically two days per week and do virtual learning on the other three.

Macon County Public Health Fee Plan for Fiscal Year 2020-21: Following brief comments from Mrs. McGaha, and upon a motion by Commissioner Higdon, seconded by Commissioner Shields, the board voted unanimously to approve the Macon County Public Health Fee Schedule for the current fiscal year. A copy of the schedule is attached **(Attachment 2)** and is hereby made a part of these minutes.

TRANSIT FARE STRUCTURE CHANGE: Transit Director Kim Angel told the board that her department has had to make changes to the transit system in order to adapt to changes caused by COVID-19. A copy of Mrs. Angel’s memorandum to the commissioners is attached **(Attachment 3)** and is hereby made a part of these minutes. Those changes have included reduced staff, changes in routes, limiting the numbers of passengers on board and installing plexiglass barriers in all vehicles and implementing cleaning protocols. She explained that the system’s ridership numbers were down 74 percent at one point. However, she explained that CARES Act funds are available to help system recoup expenses due to the pandemic. But, due to the need to modify the system’s trip scheduling and reporting process to use the CARES funds, she said it has been necessary to modify the fare structure. She shared the current and proposed fare structures with the board, requested approval of the new fares, and said she anticipates using the new rates for the remainder of the fiscal year and will re-evaluate at budget time. Upon a motion by Commissioner Higdon, seconded by Commissioner Shields, the board voted unanimously to approve the proposed fare structure as presented in the memorandum.

RESOLUTION REGARDING SURPLUS DENTAL EQUIPMENT: Mr. Jones explained that he had prepared a resolution in connection with the need to declare as surplus equipment used at the former Macon County Public Health Adult Dental Clinic and to authorize the sale of that equipment at public auction. He explained that the county will need to advertise this, and that each item involved will be sold separately. The equipment from the clinic is currently stored at the former National Guard Armory and will be sold on the courthouse steps. Upon a motion by Commissioner Higdon, seconded by Commissioner Beale the board voted unanimously to approve a “Resolution of the Macon

County Board of Commissioners Declaring Property to be Surplus and Authorizing the Sale of the Same by Public Auction,” and to allow Mr. Roland and Mr. Jones to set the date for the sale. A copy of the resolution is attached (Attachment 4) and is hereby made a part of these minutes. A list of the surplus equipment is attached to the resolution as Exhibit A.

REQUEST FOR PROPOSALS FOR HIGH-SPEED INTERNET ACCESS PROJECT: Mr. Jones told the board that a draft copy of the Request for Proposal (RFP) for the Macon County High-Speed Internet Access Service Expansion Project was in the board’s agenda packet, and he and Mr. Roland explained how the RFP was developed. Mr. Jones said this would be the first in a series of steps in expanding high-speed internet in the county.

Chairman Tate declared a recess at 7:45 p.m.

Chairman Tate called the meeting back to order at 7:50.

Upon a motion by Commissioner Shields, seconded by Commissioner Beale, the board voted unanimously to move forward with the RFP as presented.

REVISED EMERGENCY MANAGEMENT ORDINANCE: Mr. Cabe provided the board with a brief summary of the revised Emergency Management Ordinance, which is Chapter 31 of the county’s code of ordinances. He pointed out that the ordinance has not been updated since 1977, and was due for a “refreshing.” He noted that Mr. Jones had updated the ordinance, and it makes very clear the delegation of authority, including Mr. Cabe’s duties and responsibilities as Emergency Management Director. It clarifies who can declare an emergency, and he added that one of the more important things it addresses is that it requires a state of emergency be published in accordance with state law, as some counties had been doing so verbally. Mr. Jones told the board members that a draft of the revised ordinance was in their agenda packets, and he pointed out that only sections of the ordinance needed to be repealed and replaced. Following further explanation by Mr. Jones, and upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve an “Ordinance of Macon County Updating, Repealing and Replacing Chapter 31, Emergency Management, of the Macon County Code and the Emergency Management Ordinance for the County of Macon, Both of Which Were Passed on September 12, 1977.” A copy of the ordinance is attached (Attachment 5) and is hereby made a part of these minutes. It was stated that the updated ordinance is effective immediately.

RENEWAL OF NON-EMERGENCY TRANSPORTATION SERVICES CONTRACT: Following a brief explanation by Mr. Roland, and upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve the renewal of a non-emergency transportation services

contract with Mountain Area Transportation Services for the transport of involuntary commitments.

MACON MIDDLE SCHOOL RENOVATION: Mr. Roland outlined a request for additional services regarding the Macon Middle School renovation project. He explained that the county had received a proposal through SGA NarmourWright, the architect on the project, concerning additional design service fees relating to an additional scope of work involving information technology items. Mr. Roland said the extra work is “strictly related to security” and also includes an expansion of data outlets in the school. The overall cost of the additional work was approximately \$400,000, but at this point, the cost of the design phase is \$16,600. Following discussion, and upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve the request as presented, and the motion includes approval of a budget amendment to take the \$16,600 from the county’s fund balance.

SATISFACTION OF SECURITY INSTRUMENT: Following an explanation from Mr. Jones, and upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve a “Satisfaction of Security Instrument” for Tina M. Thorne, a copy of which is attached (Attachment 6) and is hereby made a part of these minutes.

CONSENT AGENDA: Upon a motion by Commissioner Shields, seconded by Commissioner Higdon, the board voted unanimously to approve the consent agenda as presented, which includes: (A) the minutes of the May 26, 2020 continued session, the minutes of the June 2, 2020 continued session and the minutes of the June 9, regular meeting; (B) budget amendment #34 for the Solid Waste Department to move \$232,516 from Fiscal Year 2010-20 to Fiscal Year 2020-21 for projects not completed in the last budget year; #35 for the Department of Social Services (DSS) to appropriate \$18,206 in COVID related social work funds; #36 for DSS to carry forward \$1,641 in donations from the prior fiscal year; #37 for the Health Department to carry forward \$1,545 received as prepayment for Rabies vaccine in Fiscal Year 2019-20 that will be received and administered in Fiscal Year 2020-21; #38 for the Health Department to roll \$1,250 in Animal Control donations into Fiscal Year 2020-21; #39 for the Health Department to carry forward \$7,188 in unexpended contributions from MountainWise Services to Fiscal Year 2020-21; #40 for the Health Department to appropriate a \$5,239 decrease in a RCORP grant; #41 for the Health Department to carry forward \$2,153 in unexpended GusNIP grant money to Fiscal Year 2020-21; #42 for the Health Department to carry forward \$31,634 in unexpended grant money from the Appalachian Regional Commission; #43 for the Health Department to carry forward \$5,852 in CARES Act provider relief funds; #44 for a non-departmental amendment regarding the CARES Act to adjust the carry forward of funds in the amount of \$696,715 received from the

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State Coronavirus Relief Fund (through the CARES Act) to account for expenditures claims between March 1, 2020 and June 30, 2020; #45 for a non-departmental amendment regarding the CARES Act to appropriate additional funds in the amount of \$695,930 received from the State Coronavirus Relief Fund (through the CARES Act); #46 for the Sheriff's Department to appropriate \$3,048 from an insurance settlement for vehicle repairs; and #47 for the Transit Department to carry forward \$15,158 in CARES Act funds into Fiscal Year 2020-21 (copies of the amendments are attached); (C) approval of tax releases for the month of July in the amount of \$1,558.98; and (D) received the monthly ad valorem tax collections report for the month of July (no action necessary), which shows a collection rate of 0.96 percent collected on 2020 general taxes, late listing penalties, discoveries and deferred taxes as of 07.31.20.

CLOSED SESSION: At 8:08 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Higdon, the board voted unanimously to go into closed session as allowed under NCGS 143-318.11(a)(3) in order to preserve the attorney-client privilege. Upon a motion by Commissioner Beale, seconded by Commissioner Higdon, the board voted to come out of closed session and return to open session at 9:58 p.m.

APPROVAL OF APPRAISAL: Upon a motion by Commissioner Higdon, seconded by Commissioner Shields, the board voted unanimously to authorize Mr. Roland to obtain an appraisal of property in the Nantahala community, with the cost not to exceed \$5,000, and the motion also approves the appropriate budget amendment to take the money for the appraisal from the contingency fund.

ADJOURN: With no other business, at 10:01 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to adjourn.

Derek Roland
Ex Officio Clerk to the Board

Jim Tate
Board Chairman