

**MACON COUNTY BOARD OF COMMISSIONERS
FEBRUARY 12, 2019
MINUTES**

Chairman Tate called the meeting to order at 6:00 p.m. and welcomed those in attendance. All Board Members, the County Manager, Finance Director, County Attorney, members of the news media and interested citizens were present.

ANNOUNCEMENTS: Chairman Tate read a letter on behalf of the Western North Carolina Veterans Council thanking the board for their donation and support of their "Welcome Home Dinner" for the 210th National Guard Unit. Commissioner Beale announced that on March 30, 2019 the County will be dedicating approximately 4.5 miles of Wayah Road to Tom McNish who was a prisoner of war (POW) during the Vietnam War.

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

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

PUBLIC COMMENT PERIOD: **Debbie Duke** addressed the board and provided stats from Harvard, Yale, and Berkeley on 5G electromagnetic radiation safety and left the board with a copy of a PowerPoint presentation and other links that show how this could affect people and the environment. **James Burch** with Waste Management Recycling addressed the board on the importance of recycling. Mr. Burch wanted the board to look at and discuss part-time wages that were being paid to the employees. He said that these are not seasonal jobs, but instead these are constant positions that need a better wage and maybe some more hours. Chairman Gillespie complimented Mr. Burch and other workers on the job they do. Commissioner Beale asked Mr. Burch if he had discussed this with Chris Stahl, Director of Solid Waste. Mr. Burch said he had, and Commissioner Higdon said that this something that the board really needs to look at. **Jacob Ainsworth** addressed the board on the Macon County Nuisance Ordinance and was asking the board for an exemption so that he could blow a steam whistle at 12:00 noon high every day, except for Good Friday, Easter Sunday and Christmas Day. Mr. Ainsworth said that he has had some community members that have shown interest in him blowing the whistle. Mr. Ainsworth said this would be something he would oversee. Commissioner Beale asked him where the steam whistle was located, and Mr. Ainsworth said it was located at his place of employment – Shaw Enterprises. Once the board realized that this was located in the City Limits, they informed Mr. Ainsworth that he would have to address the Franklin Town Board in order to get an exemption to their ordinance. **Narelle Kirkland** addressed the board and expressed her "severe unhappiness about the loss of David Watters." She made a suggestion for the dog park to be relocated to an area around the Grove Center in hopes to help with the runoff situation. She also stated that there may be some dissatisfaction with families who own a dog and have small children in moving the dog park away from the playground, so she thinks it should be kept in the same area but moved some in order to prevent runoff.

Chairman Tate informed Ms. Kirkland that the Recreation Committee has been studying this issue and that the dog park is going to have to be moved for several reasons, and the board will be receiving the committee's recommendation for the new location later on during the meeting.

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

- To add the discussion of Highway 64 between Highlands and Franklin led by Mayor Patrick Taylor as new Item 9B, per Chairman Tate.
- To add a report on Blue Zones as the new Item 9C, per the County Manager.
- To add a TDC update as the new Item 9D, per Commissioner Beale.
- To add an update to the Courthouse Security Project as the new Item 10C, per the County Manager.
- To add Macon Middle School renovations resolution exempting architectural services and the discussion of a contract with Novus Architects as the new Item 10D, per the County Manager.
- To add discussion of the county contribution to the Nikwasi Initiative led by Tommy Jenkins, EDC Director as the new Item 11C(1), per the County Manager.
- To add the recommendation regarding the request for proposals for audit services and the discussion to approve the audit contract as new Item 11H, per the County Manager.
- To add to the consent agenda, new Item 12G, the minutes of the February 7, 2019 meeting.
- To add new Item 13C, appointments for the Board of Equalization and Review.
- To add new Item 13D, the ETJ appointment for the Town of Franklin.

ALZHEIMER'S AWARENESS DAY COMMUNITY SERVICE PROJECT: Michelle Brooks and the Future Business Leaders of America (FBLA) from Franklin High School (FHS) presented the board with their community service project. Maggie Baldwin, the President of the local chapter of FBLA talked to the board about the project, which is an Alzheimer's Awareness Concert by country music artist Jay Allen. The concert will be held at the Smoky Mountain Center of the Performing Arts on February 22, 2019 at 7:30 p.m. Mary Harper, the secretary for FBLA, asked the board to issue a proclamation declaring February 22, 2019 as Alzheimer's Awareness Day for Macon County. Miss Harper said "by taking this action you will help the Future Business Leaders of America bring greater awareness to Alzheimer's the sixth leading cause of death in the United States." Evan Klatt read the proclamation for Alzheimer's Awareness Day to the board. A copy of the proclamation is attached (Attachment 1) and is hereby made a part of these minutes. Commissioner Shields made the motion to approve the proclamation as read, Commissioner Beale seconded the motion. The board voted unanimously to approve the proclamation.

DISCUSSION OF HIGHWAY 64 BETWEEN FRANKLIN AND HIGHLANDS: Highlands Mayor, Patrick Taylor, addressed the board with a current update on the issue that they are

having with the tractor trailer traffic traveling through the gorge. Commissioner Beale and Mayor Taylor serve on the Transportation Advisory Committee of the Southwestern Commission and they have realized there has been a problem for quite some time. Mayor Taylor has taken on the project as Highlands Mayor and wanted to brief the board with what they have done. Mayor Taylor has met with N.C. State Trooper Sgt. Greg Dills and he recommends simplifying the law on the gorge road. Mayor Taylor said that they are being encouraged to change the ordinance and the laws to say "No Tractor Trailers." Mayor Taylor informed the board that he has also spoken with Division 14 engineer Brian Burch, and his staff, and they agree that the signs do need to be simplified. Mayor Taylor said the changes will be taking place over the next few months. He also informed the board that those signs will be illuminated and radar activated to help direct any tractor trailer that may approach with directions of how to turn around. Mayor Taylor also said that they will be doing this on the Highlands side as well. Chairman Tate thanked Mayor Taylor for all his work on this and also informed the board that this initiative has the support of Senator Davis and Representative Corbin. No action was necessary.

REPORT ON BLUE ZONES: Sally Taylor addressed the board and gave her thanks for the opportunity to speak. Ms. Taylor said that it was her husband, Mayor Patrick Taylor, who first saw the Blue Zones presentation at the League of Municipalities meeting a few years ago and shared it with her. They both became very enthusiastic about the possibilities that it would have for this area. Ms. Taylor said that "Blue Zones, traditionally, are five areas in the world where people live measurably, longer, healthier lives with less chronic disease such as diabetes, Alzheimer's, and drug addiction." Scientists have studied the area and have discovered nine common practices that create these areas. Ms. Taylor said that she has forwarded the information to the County Manager and some of those common practices include healthy plant-based diets, moderate exercise, and various levels of social connectivity. There are now at least 42 communities in nine states that are moving towards Blue Zone communities. Ms. Taylor said that they use the Gallup Healthways Well-being Index to measure improvement; however they need a population of at least 25,000 people. Ms. Taylor said they are targeting all of Jackson County and Macon County which gives them about 78,000 people. She said that communities can see changes such as decreased healthcare costs, increased productivity, a boost of economic vitality and ability to attract grants. Ms. Taylor has already approached the Highlands Town Board, Cashiers Leadership Team, Sylva Town Board, and the Franklin Town Board and all of the groups have given an "enthusiastic yes" that they are definitely interested. Ms. Taylor said they have phase one of Blue Zones presentation that will be held June 10, 2019 at 6:00 p.m. at the Pack. Commissioner Beale asked Ms. Taylor if she had her committee already put together. Ms. Taylor said her committee has five people already and looking for one more from Sylva. Commissioner Beale then asked Ms. Taylor if they would eventually become a 501(c)(3) and she said they will have to move funds through a 501(c)(3) and they are hoping to run them through Highlands Cashiers Health Foundation because they are showing great interest in the Blue Zones. Chairman Tate asked the County Manger to be sure to forward on the information he received to all the board members. No action was necessary.

TDC UPDATE: Commissioner Beale updated the board that the intersection from McDonald's on the Georgia Road to the Fair Grounds and the one-lane bridge behind Ingles on the Georgia Road has been funded and construction is scheduled to start as soon as possible. From Wide Horizon Road to Prentiss Bridge Road has been approved for improvement but from there to the Georgia line did not get approved. However, this should come back up in 2025. What did get funded was the construction sidewalk from East Main Street at Old Cat Creek Road and entire First Street in Highlands and this is scheduled to be completed in 2022 but could be moved up. Commissioner Beale said they are continuing to ask for more maintenance money to put toward the secondary roads. No action was necessary.

LEASE AGREEMENT BETWEEN MACON COUNTY AND SOUTHWESTERN COMMUNITY COLLEGE: County Attorney, Chester Jones, presented the board with a proposed lease to Macon County from the Trustees of Southwestern Community College for the land that is behind the Southwestern Community College at the Industrial Park. This land has been utilized by Macon County Recreation for several years. The Trustees for Southwestern Community College approached the County and asked that that land be leased and the County maintain and be responsible for that property. The County Attorney went over the 20 year lease that will cost the County \$200 (\$10/year) and maintenance obligations. A copy of the lease is attached (Attachment 2) and is hereby made a part of these minutes. The lease will have to go before the State for Community Colleges for approval before the lease is signed. Southwestern Community College legal counsel or President will be securing that approval and no problems are anticipated. The parcel of land puts in possession and control of the County all of the lands from the access road behind the SCC building to Cartoogechaye Creek. Upon a motion by Commissioner Beale, seconded by Commissioner Gillespie, the board voted unanimously to approve the lease agreement between Macon County and Southwestern Community College.

CONTRACT AMENDMENT BETWEEN MACON COUNTY AND THE NORTH CAROLINA OFFICE OF STATE BUDGET AND MANAGEMENT: The County Manager informed the board that Representative Corbin was able to secure funding for in-car cameras and body cameras for the Macon County Sheriff's Office in the amount \$65,000 that will be available to the County on a reimbursement basis. He presented the board with the amended version of the original contract from FY 16-17 where Senator Davis was able to secure \$100,000 for the Robert C. Carpenter Building project. A copy of the amended contract is attached (Attachment 3) and is hereby made a part of these minutes. This amended contract will be for the State to reimburse the County for the purchases of equipment made by the Macon County Sheriff's Office. Commissioner Shields made the motion for the County Manager to execute the contract amendment between Macon County and the North Carolina Office of State Budget and Management. Commissioner Beale seconded the motion, and the board voted unanimously to approve the contract.

COURTHOUSE SECURITY UPDATE: Sheriff Robert Holland updated the board on some items that they had asked him at the February 7, 2019 meeting. The Sheriff said that after meeting with the fire inspector and building inspections that the requirement for the metal detector had changed. The County Manager provided the board members a breakdown of the operating and capital costs for FY 2018-2019 and FY 2019-2020 that related to the Courthouse Security Project. The FY 2018-2019 increase amounted to \$229,067 excluding the \$55,881 that had already been approved during the fiscal year for adding two personnel to Courthouse Security. In FY 2019-2020 the capital costs will no longer be there, but there will be operating costs of \$373,432 for the six personnel and a \$10,000 increase to operating supplies expense. Sheriff Holland said his committee had three priorities: the safety of anyone that enters the courthouse, to make sure the employees that are housed in the courthouse are safe, and that the general public is safe. Commissioner Beale said that this is top priority and made a motion for the County to formally advertise and bid the Courthouse Security Project as authorized by the Sheriff and Judge Cowart for the March 2019 meeting. Commissioner Shields seconded the motion, and the board voted unanimously to approve.

RESOLUTION EXEMPTING ARCHITECTURAL SERVICES FOR MACON MIDDLE SCHOOL:

The County Manager informed the board that he reached out to Mosley Architects as discussed at the February 7, 2019 meeting, however their proposal was \$750 higher and the turnaround time was 4-5 weeks longer than the proposal received from Novus Architects. Commissioner Beale asked the County Manager if this included all the items that were discussed at the liaison meeting, and the County Manager said that it did, but that he will confirm before proceeding. The County Attorney presented the board with a resolution exempting architectural services project for existing building conditions assessment for the Macon Middle School from the provisions of Article 3D of Chapter 143 of the North Carolina General Statutes. A copy of the resolution is attached (Attachment 4) and is hereby made a part of these minutes. Commissioner Beale made the motion for the board to pass the resolution exempting architectural services, Commissioner Shields seconded the motion. The board voted unanimously to pass the resolution. After the resolution was passed Commissioner Beale made the motion for the County to enter into a contract with Novus BEW Asheville, PLLC for the Existing Building Conditions Assessment for Macon Middle School and giving the County Manager and the County Attorney the ability to negotiate anything new that should need to be added at a reasonable cost and included in the motion was the \$22,000 budget amendment to come out of fund balance for this contract. Commissioner Shields seconded the motion, and the board voted unanimously to approve the contract. A copy of the contract is attached (Attachment 5) and is hereby made a part of these minutes.

STATE FUNDING FOR THE COMMUNITY PARAMEDIC PROGRAM: Warren Cabe, Emergency Management Director, informed the board that the Department of Health and Human Services (DHHS) Office of EMS contacted his agency and notified them of a funding opportunity for existing community paramedic programs that had a post-overdose response program. He said that his agency does have this program. Basically, in a nutshell,

this program is for any patient that his agency contacts in the back of the ambulance who has to have NARCAN administered for an overdose. After NARCAN is administered, within 24-48 hours of that patient exposure, they are referred to the Community Paramedic Program. Those paramedics will reach out to the patient in addition to a peer support specialist or a behavioral health specialist to follow up with them to make sure the care that they have is okay and attempt to keep them well and try to avoid a relapse. Mr. Cabe submitted some information about this program to DHHS and they offered \$20,000 in funding over a period of six months. Mr. Cabe said this program currently is operating five days a week and that this funding would basically cover the costs of two days a week. This funding would cover vehicle expenses, mileage expenses, and printing expenses for literature. Commissioner Beale said that this program is groundbreaking for this area and even our state. Commissioner Beale made the motion to accept the state funding for the Community Paramedic Program. Commissioner Shields seconded the motion. Chairman Tate told Mr. Cabe that he can't say enough about the success of this program. The board voted unanimously to approve the funding.

RESOLUTION DECLARING SURPLUS PROPERTY AND APPROVAL OF LEASE TO TECO SSL INC., A TENNESSEE BUSINESS CORPORATION: Tommy Jenkins, EDC Director, informed the board that TECO SSL Inc., would like to move their design and manufacturing of LED lights to Macon County from Paris, Kentucky. A copy of the resolution is attached (Attachment 6) and a copy of the lease is attached (Attachment 7) and both are hereby made a part of these minutes. Commissioner Shields made a motion to pass the resolution declaring surplus property and approval of the lease to TECO SSL Inc.. Commissioner Beale seconded the motion, and the board voted unanimously to approve as presented.

COUNTY CONTRIBUTION TO THE NIKWASI INITIATIVE: Commissioner Beale told the board that the Nikwasi Initiative was an ongoing awareness for the Cherokee Cultural Corridor project between Macon and Swain Counties. One of the plans for the current year is for the Eastern Band of Cherokee to make the old Dan's Auto Parts at the bottom of town hill a museum. Tommy Jenkins, EDC Director, said that the Nikwasi Initiative began in 2016 to build relationships between the Eastern Band of Cherokee Indians and surrounding communities, particularly Macon and Swain Counties. Mr. Jenkins said that since the beginning there has been over \$300,000 leveraged in capital and other improvement funds along the corridor. This however, does not include the purchase of Dan's Auto by the Eastern Band of Cherokee Indians. Mr. Jenkins said that they are now moving along with their business plan and asked the board to appropriate \$12,500 from economic development reserves to go towards continuing this mission and administrative costs for the coming year. Commissioner Beale told Chairman Tate that this would be our portion and that it would be very lucrative for many reasons and that the County's relationship with the Eastern Band is very important. Commissioner Beale made the motion to take \$12,500 from the economic reserve fund to support the Nikwasi Initiative. Commissioner Shields seconded the motion. The board voted unanimously to approve the appropriation.

ADDITION OF TWO CHILD WELFARE POSITIONS DURING FY 2018-2019: Patrick Betancourt, Director of Social Services, recognized his DSS board chair Lisa Leatherman who was attending the meeting to support the request of two child welfare positions. Mr. Betancourt said this request was based on three significant issues that his department is facing: significant workload demands for child welfare staff, increasing case complexity, and overcoming the inefficiencies of the current case management system. He said that it has been about six years since his department has had to request child welfare positions on the child protective services side of welfare. Current CPS workers are carrying a caseload of about 20 cases each, which is well over the 15 caseload that is recommended by the state. In FY 2011-2012 his department was taking 459 reports a year, compared to 630 reports currently, a 37% increase. In FY 2011-2012 they were doing 220 investigations, and currently are up to 331 investigations. In FY 2011-2012 they took 11 in custody, compared to the 32 so far this fiscal year. Mr. Betancourt said that he does have money in his current budget and with a start date of April 1, 2019 the two positions would cost \$28,765 and the County could expect approximately \$4,000 in reimbursement from the State this fiscal year. Mr. Betancourt informed the board how the case complexity (substance abuse, mental health needs, and family violence) is causing staff burnout and hopefully with these new positions and reducing caseloads back to the state recommended levels this will offer some relief. Commissioner Beale told the board, as liaison to DSS, this is so important because these are the most at risk children. Commissioner Beale made the motion to approve the addition of two child welfare positions to be added to the Department of Social Services. Commissioner Shields seconded the motion. Chairman Tate asked the County Manager how this would affect the County moving forward. The County Manager said he would just plan for it in the budgeting process and fit it as best as he could. The County Manager pointed out the significant increases that were coming to the FY 2019-2020 budget, but that this had to be done. Commissioner Beale also pointed out that they do not know what will happen with this at the state level yet. Mr. Betancourt said there will be some significant review of this program at the state level. After discussion, Chairman Tate said "it is imperative, but it is a shame," and the board approved unanimously to add the two child welfare positions.

LATE ADDITIONS TO THE AGENDA: After a brief five minute recess, the County Manager asked Chairman Tate if two items could be added to the agenda. Item 11E(1) Convenience Center Improvements: Transport Equipment and Item 11E(2) Recycling Processing Center (RPC) Repair and Improvements. The board had no issues with the additions.

SOLID WASTE INTERLOCAL AGREEMENT WITH CLAY COUNTY: Chris Stahl, Director of Solid Waste presented the board with a resolution and an interlocal agreement between Macon County and Clay County for Macon County to provide some landfill gas monitoring services to Clay County. A copy of the resolution is attached (Attachment 8) and a copy of the interlocal agreement is attached (Attachment 9) and both are hereby made a part of these minutes. Mr. Stahl was approached several months ago by Clay County about how Macon County's process of monitoring worked. Mr. Stahl ended up offering for Macon County to do Clay County's sampling for them. The benefit to Clay County is they would not

have to purchase the equipment needed, and the benefit for Macon County is the \$1,000 revenue that would be brought in annually to help maintain compliance of the equipment they currently have and use. Chairman Tate asked Mr. Stahl how many hours this would take, and Mr. Stahl said three hours max. The County Attorney pointed out this would be approximately \$80/hour revenue for the County. The County Attorney passed out a revised interlocal agreement. Commissioner Higdon made a motion to approve the revised interlocal agreement. Commissioner Shields seconded the motion. Chairman Beale asked how long this agreement was good for. The County Attorney said this was a three year agreement that was automatically renewable; however, either party with notice to the other can terminate the contract. Commissioner Beale asked Mr. Stahl that if he saw this was actually costing the County money that he would terminate, and he said he would. The board then voted unanimously to approve the agreement.

TRANSPORT EQUIPMENT FOR CONVENIENCE CENTER IMPROVEMENTS: Chris Stahl, Director of Solid Waste, informed the board that the County was in year one of a multiyear process to renovate/update the convenience centers. Two convenience centers were slated for this year, and the funds are in the existing budget. Step one is to bring in the equipment before the County goes out to contract for the renovations on the convenience centers. Mr. Stahl then went over the equipment that he was looking to purchase, including recycling containers and compactors. A copy of the bid tabulation for bid number 604712-02, Solid Waste Collections Equipment for Macon County's Convenience Centers is attached (Attachment 10) and is hereby made a part of these minutes. He said the different bid items were for stationary waste compactors for Carson Center and eight recycling containers for Carson Center. The Junaluska Center compactors will actually serve a dual purpose. They will be utilized at a temporary site while Carson is closed and once Carson is reopened construction will begin at Junaluska and the containers will be moved there. There will also be a recycling container at Junaluska that will be a huge benefit. Junaluska Center currently accepts scrap tires and white goods that are not contained properly, and this new container will help this situation. Commissioner Higdon made a motion to approve awarding the bid of the purchase of four (4) compactors to Bakers Waste Equipment and nine (9) recycling containers to Wastequip in accordance to the specifications in Bid Number 604712-02 Solid Waste Collections Equipment for Macon County's Convenience Centers. Commissioner Shields seconded the motion. Commissioner Higdon asked Mr. Stahl what the timeline was for the projects. Mr. Stahl said that the Carson Center is first and the Junaluska will follow. He also informed the board that the containers will be built to his specifications so that will take approximately three months but the compactors should not take that long. Mr. Stahl said he is hoping to complete the bidding and awarding process for the construction at these centers by April 2019. He then anticipates completing Carson in April-May and then completing Junaluska by the end of the fiscal year. Commissioner Beale informed Mr. Stahl that Jackson County just passed a \$500 fee if you are caught using their centers. Commissioner Beale wants to know why Macon County does not use the type of containers Jackson County uses. Mr. Stahl said that adding compactor units to the centers is a huge win for the County because they hold three times the waste of an open top. Mr. Stahl said that the dual chamber compactors that will

be placed at Junaluska and the other remote centers will have one side for waste, and one side for comingling recycling. He said the reason we do not do this everywhere is simply cost versus reward. He said if Macon County goes to single stream like Jackson County there would be some savings, but would forfeit all revenue. After a lengthy discussion, the board voted unanimously to award the bid to Bakers Waste Equipment and Wasetequip.

CONVENIENCE CENTER EMPLOYEES PAY: After the previous vote, Commissioner Higdon asked to address some issues he saw with Convenience Center employees pay. He told Mr. Stahl he understands that these positions were originally set up as temporary positions approximately 20 years ago. Commissioner Higdon said he was shocked that there were employees that make \$7.50 per hour. He said that he has never been a strong advocate for spending government money, but he feels this was a disgrace. Commissioner Higdon said these employees were the face of Macon County who meet 1,000 to 1,500 people and that the County can do better. Mr. Stahl said he completely agrees. Commissioner Higdon said he understands we are in the middle of the budget but wants some recommendation to address this issue. Commissioner Beale pointed out that this would come out of the enterprise fund, not the general fund. The Finance Director brought to the board's attention that this would need revenue to support it, and that you would not want to use fund balance to support ongoing expenses. Mr. Stahl and the Finance Director agreed that this fund does not necessarily have excess revenues, and that fund balance had already been appropriated to achieve some projects. Mr. Stahl said there are some proposals and ideas with what can be done to address this issue, and he will come back to the board at the next meeting to present them. Mr. Stahl said that there are some "holes" in the enterprise fund, one of which is the ad valorem compliance rate that is about 97%, but the collection of the solid waste fees is lower. This basically means that there are taxpayers who are paying everything on their tax bill, except the \$95.00 solid waste fee. Chairman Tate said he wants Mr. Stahl to talk to them about this at the next meeting.

RECYCLING PROCESSING CENTER REPAIR AND IMPROVEMENTS: Chris Stahl, Director of Solid Waste, told the board that several months ago a structural column at the Recycling Processing Center (RPC) was struck. Mr. Stahl said that it took a lot of time to find a contractor that was willing to give an estimate for repairs because there are no records regarding the original engineering design specifications of the building. He said they finally did get a proposal where he asked for three different proposals, two of which are included for the board to review. A copy of the proposals are attached (Attachment 11) and is hereby made a part of these minutes. The first one is to repair the building and the second one was to demolish the building and replace it with a new structure that would be an extension of the newer section of the RPC. Commissioner Beale asked Mr. Stahl who hit the post of the RPC, and Mr. Stahl said it was a driver for the contracting hauler. Mr. Stahl said that the Finance Director has a budget amendment for the \$42,466 for the insurance proceeds, and Mr. Stahl is also asking for \$125,000 from the enterprise fund balance to cover the costs. The County Attorney asked Mr. Stahl if the County has passed on the settlement, Mr. Stahl said no that he was not aware that they needed too. Mr. Stahl said that the insurance settlement was based on the proposals, and the repair proposal was

\$49,341. However, Mr. Stahl does not want to just repair the building. Commissioner Gillespie asked Mr. Stahl if he had received multiple bids on this, Mr. Stahl said no. Mr. Stahl said that what he was asking for the board to do is basically an “approval of concept” where he can have the funds appropriated into his budget. Chairman Tate wanted to know why he is asking for funds to be appropriated before the bids have been received since that is not the normal course of action. After a lengthy discussion, the board agreed that the building needs to be replaced and asked Mr. Stahl to come back to them after he has received bids on the project. Commissioner Higdon made the motion to approve the budget amendment for the insurance proceeds in the amount of \$42,466. Commissioner Shields seconded the motion, and the board voted unanimously to approve.

PLANNING BOARD PRIORITIES FOR FY 2019-2020: Commissioner Gillespie, as the liaison to the Macon County Planning Board, asked the board to discuss their priorities they saw for the Planning Board. Chairman Tate said one of his tasks was to address the homeless/no income situation in the County. Lowell Monteith, spoke to the board about how he houses some homeless/low income people. He said that there are so many problems including a large drug addiction problem and he has 31 in his house, 17 of which are children. He stated to the board that he does not run a homeless shelter; he runs a life recovery program. His goal is to try and take people that may be homeless, drug addicts, alcoholics, or those that have very serious problems dealing with their finances and try and help them eliminate their bad habits that got them into the situation they are in. Chairman Tate said he does not even know if this is a task that the Planning Board would be up for, but that he thinks it is important for someone to take a look at it. Commissioner Beale said that at one point in time the Healthy Carolinians did look at this. The County Manager said that the comprehensive plan did have that information, where the homeless were identified through the community health assessment. Commissioner Gillespie said he wanted to remind the board that the Planning Board meets one a month for a couple hours so to keep that in mind when assigning tasks. Commissioner Gillespie said the subdivision ordinance review could be marked completed after Jack Morgan, Director of Planning Permitting and Development, said there were no issues. Commissioner Beale said that he would like to see the Planning Board to do some real planning and tie that in with the space needs study and the comprehensive plan. He thinks this would give the Planning Board an opportunity to have some real input on what the County will look like in five years. Chairman Tate said he thought that was an excellent idea, especially after the County receives the results from the space needs study. Chairman Tate said he would like to see the Planning Board review those results. Commissioner Higdon wants the Planning Board to address the Nantahala community needs. Chairman Tate said to let the Planning Board see what the County is providing to the community and what is not being provided. Commissioner Beale asked if there were any other communities that need to be looked at. Chairman Tate asked Commissioner Gillespie to have the Planning Board broaden it and look at all communities and see what the County is offering and what their needs may be. No action was necessary.

ROOM RATES FOR THE ROBERT C. CARPENTER BUILDING: Seth Adams, Recreation Director, presented the board with the existing room rates for room rentals at the Robert C. Carpenter Building. Mr. Adams said that he has been the director for 16 years and the rates have never changed. He said that after the renovations that were just performed on that building, the Recreation Commission said this would be a good opportunity to review and change the rates. Mr. Adams said these changes are not going to impact the average citizen. The fee changes are actually directed to those that use the building to make a profit. Chairman Tate said that the Recreation Commission has been reviewing this for a year and fully support these changes. A copy of the existing and proposed rates are attached (Attachment 12) and are hereby made a part of these minutes. Mr. Adams said that they would want these changes to go into place on July 1, 2019. Commissioner Beale made the motion to approve the proposed rates as recommended by the Recreation Commission. Commissioner Shields seconded the motion, and the board voted unanimously to approve the proposed rates.

PARKER MEADOWS TOURNAMENTS: Commissioner Gillespie asked Mr. Adams if he could take the opportunity to talk to him about the Parker Meadows facility. Commissioner Gillespie said that he emailed the County Manager in regards to the number of tournaments held at Parker Meadows. Mr. Gillespie said that it appeared there was limited use at that facility and he received a response where Mr. Adams said that there were cancelled tournaments because of the lack of hotel rooms. Commissioner Gillespie said he would like to speak to the tournament director about that and asked if Mr. Adams would like to share anything with the whole board. Mr. Adams said he does not have a tournament director over a sanctioned organization that will come to Parker Meadows. Right now, Mr. Adams, said there is only six tournaments scheduled for this coming season. After a lengthy discussion, Mr. Adams made the board aware of the issues with lodging and tournament scheduling. No action was necessary.

POTENTIAL GREENWAY CONNECTION UNDER TOWN BRIDGE: Seth Adams, Recreation Director, told the board that a couple of months ago David Culpepper of the Town of Franklin Council approached him and said he would like to see the County and Town join efforts and build a trail under the town bridge that would connect the greenway from side to side. Mr. Adams said the paths that are currently under the bridge are not safe. He said that the Town of Franklin is willing to construct a trail (including the grading). He said that the County's responsibility would be either to gravel or asphalt the trail. Chairman Tate said he is suggesting graveling the trail and it would be \$5,000. Mr. Adams said he got one quote for paving and it was \$16,881 (not including any gravel). Commissioner Beale asked Mr. Adams if he had been in touch with DOT about paving the trail. Mr. Adams said no. Commissioner Beale said that he would like Mr. Adams to reach out to them and see if they would pave the trail. Chairman Tate said he would like the Town of Franklin to know that they are willing to partner with them on this project. Commissioner Shields asked Mr. Adams to come to the next FROGS meeting and give them an update. No action was necessary.

POTENTIAL LOCATIONS FOR DOG PARK: Seth Adams, Recreation Director, addressed the board about the issues with the current location of the dog park. The site is next to the wetlands which has caused problems with the Clearwater Trust Fund. The site also is under a Duke Energy transmission line. Both organizations have asked the County to look for an alternate location for the dog park. Mr. Adams said he looked at County parcels first. Chairman Tate had mentioned to Mr. Adams the location on Frogtown. Mr. Adams provided the board with a drawing of what the potential dog park would look like on the property. A copy of the drawing is attached (Attachment 13) and is hereby made a part of these minutes. He said there would need to be water/sewer, a restroom, and some fencing. Chairman Tate said that he feels like this would be a great place for the dog park, the property lays flat and there are some great trees. Commissioner Beale asked how many cars could be parked, and Mr. Adams said that the parking lot could be made as large as they wanted. Mr. Adams said the proposed drawing triples the large dog area and more than doubles the small dog area. Commissioner Higdon asked if there was a projected cost for this project yet. Mr. Adams said no, but the largest cost would be constructing a restroom and for the fencing and that he estimated fencing costs to be \$15,000. Chairman Tate said that he would discuss the cost sharing (water and sewer) with the Town of Franklin. Chairman Tate said he would like to see the County be responsible for the infrastructure costs. The board agreed to proceed with taking the next steps in moving the dog park to this location. No action was necessary.

REQUEST FOR PROPOSALS FOR AUDIT SERVICES AND CONTRACT: Lori Hall, Finance Director, informed the board that she issued an RFP for audit services for Macon County on December 19, 2018. The RFP was advertised on the County website and on in the Franklin Press. Ms. Hall also directly solicited six firms based on their experiences. The proposals were due by January 28, 2019 where three proposals were received. A copy of the Audit Proposals - Summary of Costs is attached (Attachment 14) and is hereby made a part of these minutes. Ms. Hall said after evaluating the total costs (including the cost to provide the audit and financial statements, the cost to do the Medicaid and TANF agreed upon procedures, and the Airport Authority) she recommends staying with Martin Starnes and Associates at the cost of \$78,800 and the Airport Authority would have to award their own contract. Ms. Hall told the board that included in their budget packet was the Martin Starnes engagement letter that goes along with the contract to audit and that she is asking the board to approve the audit contract in the amount of \$65,800 and the agreed upon procedures would be a separate engagement letter. A copy of the engagement letter is attached (Attachment 15) and a copy of the audit contract is attached (Attachment 16) and both are hereby made a part of these minutes. Commissioner Beale made the motion to approve the Finance Director's recommendation of staying with Martin Starnes and entering into an audit contract in the amount of \$65,800. Commissioner Shields seconded the motion. Chairman Tate said he respects Ms. Hall's professional opinion but wanted to ask her if it was wise to switch the audit firm to have a different set of eyes looking at the financials. Ms. Hall said that every few years the audit partner and audit manager rotate and that gives you the independence needed. She also said that the GFOA has articles

supporting that you do not have to change auditors to have independence because of things such as staff rotation. The board approved unanimously to approve the contract.

CONSENT AGENDA: Chairman Tate asked the board if there were items that needed to be removed or discussed and reminded the board of the addition of the minutes from the February 7, 2019 meeting. Commissioner Beale made a motion to approve the consent agenda. Commissioner Shields seconded the motion, and the board voted unanimously to approve the items on the consent agenda as follows: the minutes of the January 8, 2019 regular meeting; the following budget amendments: #128 for the Health Department to appropriate funds in the amount of \$5,000 for Zonta – Maternal Health, #129 for Solid Waste to appropriate \$1,278 received from an insurance settlement, #130 for EMS to appropriate \$2,720 from an insurance settlement, #131 for the Sheriff’s Office to appropriate \$2,999 from an insurance settlement, #132 for the Health Department to reduce their budget by \$335 because of a reduction of federal funds for Title X, #133 for Transit to appropriate \$25,700 in additional revenue from a new contract with Macon Valley and allocating that to cover costs of coordination along with appropriating \$8,500 in additional revenue from sale of advertisements on vehicles to advertising expense and vehicle repair and maintenance, #134 for EMS to appropriate \$20,000 post-overdose response team grant funds, #135 for the Health Department to appropriate grant funding for Activity 167 Maternal and Child Health Mini Grant in the amount of \$20,757, #136 for the Sheriff’s Office to appropriate \$90,087 in drug forfeiture funds, #137 for Housing to appropriate additional funding received in the amount of \$38,445, and #138 for Housing to appropriate additional funding received in the amount of \$35,971; (copies of amendments are attached – Attachment 17); the monthly ad valorem tax collections report; authorization of Tax Office to collect any unpaid taxes for current fiscal year per NCGS 105-369; Macon County Board of Public Health proposed changes/additions; and the minutes from the February 7, 2019 meeting.

AIRPORT AUTHORITY REAPPOINTMENT: Commissioner Gillespie made the motion to approve the reappointment of Gary Schmidt to Macon County Airport Authority. Commissioner Beale seconded the motion, and the board voted unanimously to approve the reappointment. A copy of the reappointment request is attached (Attachment 18) and is hereby made a part of these minutes.

TDC REAPPOINTMENTS: Commissioner Shields made the motion to approve the reappointment of Connie Grubermann, Patrick Graham, and Katie LaFlamm to another three year term to Tourism Development Commission. Commissioner Beale seconded the motion, and the board voted unanimously to approve the reappointments. A copy of the reappointments request is attached (Attachment 19) and is hereby made a part of these minutes.

BOARD OF EQUALIZATION AND REVIEW APPOINTMENTS: Commissioner Shields the made to motion to approve the appointment Dwight Vinson, Bill Martin, Donald Holland, Gary Drake, and Kristine Flaig to the Macon County Board of Equalization and Review.

Commissioner Higdon seconded the motion, and the board voted unanimously to approve the appointments. A copy of the appointments request is attached (Attachment 20) and is hereby made a part of these minutes.

TOWN OF FRANKLIN PLANNING BOARD REAPPOINTMENT: Commissioner Shields made the motion to approve the reappointment of Janet Greene to serve as and ETJ representative on the Town of Franklin Planning Board and Board of Adjustment for Macon County. Commissioner Beale seconded the motion, and the board approved unanimously to approve the reappointment. A copy of the reappointment request is attached (Attachment 21) and is hereby made a part of these minutes.

CLOSED SESSION: Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to go into closed session at 9:06 p.m. for the purpose of preserving the attorney/client privilege under NCGS 143-318.11(a)(3). At 9:23 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to come out of closed session and return to open session.

PERSONNEL MATTER/SETTLEMENT: The County Attorney outlined the discussion that took place in closed session regarding the settlement of a Fair Labor Standards Act claim for three Canine Handler Deputies. The County attorney stated

As you recall, you settled a Fair Labor Standards Act claim made last year by a Canine Handler Deputy. As you recall it was learned that Canine Handler Deputies have their dogs with them 24 hours a day, 7 days a week, and were to be paid for the time that they care for and feed their dogs outside of their normal work week. That Canine Handler Deputy had not been paid for the time that he had cared for and fed his dog outside the normal work week as required by the Fair Labor Standards Act. The County was able to amicably settle that claim. At and after the time that Fair Labor Standards claim was resolved by the County, it was recognized by both the Sheriff and the Board of Commissioners that in fairness, the Sheriff had three other Canine Handler deputies who were similarly situated to the Deputy who made and settled the Fair Labor Standards Claim. The Sheriff and the Board of Commissioners desired to do the right thing for these other three Canine Handler Deputies and make appropriate pay adjustments for them as well. The Sheriff and the County have worked with these three other Canine Handler Deputies who were similarly situated and have worked out General Release Claims with each of them, Clay Bryson, David Blanton, and Steve Stewart. I have advised you regarding the terms of each of those General Release of Claims Agreements and it is my understanding that you desire to approve the same for execution. Lori Hall has calculated the costs for each of these employees. The total cost to the County for each Canine Deputy to be paid if you decide to approve these General Releases of Claims Agreement for execution are as follows: David Blanton \$32,377.13, Clay Bryson \$37,359.15, and Steve Stewart \$38,753.21, then you will need a budget amendment for \$108,490 to pay for the monies specified by these General Release of Claims Agreements.

Commissioner Beale, as the liaison to the Sheriff's Office, made the motion to approve the budget amendment in the amount of \$108,490 to come out of general fund balance appropriated and wanted to thank the three Canine Deputies for how they have conducted themselves in this oversight and to approve the execution of the General Releases. Commissioner Shields seconded the motion. Chairman Tate said "what's right is right," and the board voted unanimously to approve.

ADJOURN: With no other business, at 9:31 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