

**MACON COUNTY BOARD OF COMMISSIONERS
CONTINUED SESSION
APRIL 21, 2015
MINUTES**

Chairman Corbin reconvened the meeting at 6:01 p.m. as recessed from the April 14, 2015 regular meeting and welcomed those in attendance. All board members, the County Manager, Deputy Clerk, Finance Director and County Attorney were present, as were members of the news media and interested citizens.

PLAYGROUND EQUIPMENT AT PARKER MEADOWS RECREATIONAL COMPLEX: Prior to addressing the items on the agenda, the County Manager requested that one item be added and considered before the others. The board agreed without objection, and the County Manager recognized Seth Adams, the county's Parks and Recreation Director. Mr. Adams handed out copies of the bid tabulation for playground equipment at the Parker Meadows Recreational Complex. He went on to explain that the county did a request for proposals (RFP) using a budget range of \$60,000 to \$90,000, and two companies responded, one of which provided two different options. Mr. Adams said that the best option was also the cheapest. He explained that the 65-foot-by-65-foot area would have a rubber mulch base and would be located next to the smaller ball fields, and would be lighted at the same time those fields are lighted. Mr. Adams recommended that the board approve Option 1 as shown on the bid tabulation from Playground Safety Services in the amount of \$84,192. Commissioner Beale made a motion to approve the recommendation as presented, and it was seconded by Commissioner Shields. Following further discussion, Mr. Adams said that once approved, delivery of the equipment would be six weeks out, followed by an installation period of four to five days. The board voted unanimously to approve the motion, and a copy of the bid tabulation is attached **(Attachment 1)** and is hereby made a part of these minutes.

DISCUSSION AND CONSIDERATION REGARDING PROPOSED QZAB

FUNDING: The County Manager began by saying that, following an April 16th meeting between county and Macon County Schools officials, the county commissioners needed to “officially endorse” the proposed Qualified Zone Academy Bonds (QZAB) proposal to make improvements to Union Academy and Highlands School in the amount of \$2,985,878, and then to consider the next steps to take in the project. Commissioner Beale said that he was in full support of both projects, and noted this could be the last opportunity to use QZAB funds. Macon County Schools Superintendent Dr. Chris Baldwin told the commissioners that the school board unanimously supports the projects. Commissioner Shields made a motion to move forward with the improvements at Union Academy and Highlands School, using QZAB funds in the amount of \$2,985,878, and Commissioner Beale seconded the motion. Commissioner Higdon asked a question that clarified that the county would make a loan request for the amount stated, but would only borrow the amount in the approved bid for the improvements. The board voted unanimously to approve the motion.

The board then discussed a Request for Qualifications (RFQ) for architectural services for the projects. The County Manager handed out an evaluation/scorecard prepared by a review committee consisting of county and school officials, which ranked Novus-BEW Architects ahead of Clark Nexsen Architecture. The County Attorney informed the board members that they would need to determine among the two as to who was most qualified. Based upon the review committee’s work, Commissioner Beale made a motion stating that Novus-BEW Architects was the most qualified to do the work on the project, the motion was seconded by Commissioner Tate, and passed unanimously. A copy of the RFQ evaluation/scorecard is attached (Attachment 2) and is hereby made a part of these minutes. Upon a separate motion by Commissioner Tate, seconded by Commissioner Beale, the board voted unanimously to authorize the County Manager to negotiate a contract agreement with Novus-BEW Architects.

The discussion then turned to the need to get the work started. It was noted that the lead time for HVAC units was 12 weeks, and the lead time for windows was approximately the same. The County Manager said that quotes had been obtained for both items, and that the total for both for both schools was \$502,000. In addition, approximately \$30,000 is needed for asbestos abatement at Union Academy, and architectural fees are anticipated to be \$148,633. This led to discussions regarding “fronting” the money, putting some of these items out to bid, and appropriating the necessary funds. The County Manager recommended that a total of \$682,643 could be appropriated from what is known as Fund 46, which the Finance Director explained is a capital project fund for the schools that currently has approximately \$775,000

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in it. Upon a motion by Commissioner Tate, seconded by Commissioner Beale, the board voted unanimously to approve a budget amendment to allocate the \$682,643 from the Fund 46 account to cover the up-front costs associated with the improvements.

The Finance Director then explained that she had prepared two resolutions for the board's consideration, one involving reimbursement of expenses and the other involving making an application to the state Local Government Commission (LGC). After reviewing the details of the resolution, the Finance Director noted that it called for the board to hold a public hearing related to the QZAB funding at its May 12th regular meeting at 6 p.m. Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve a "Resolution of the Board of Commissioners of the County of Macon, North Carolina, Authorizing the Negotiation of an Installment Financing Contract and Providing for Certain Other Related Matters Thereto," a copy of which is attached (Attachment 3) and is hereby made a part of these minutes.

The Finance Director then reviewed another resolution that would allow the county to reimburse itself for costs associated with the improvements to the two schools. Upon a motion by Commissioner Tate, seconded by Commissioner Shields, the board voted unanimously to approve a "Resolution of the County of Macon, North Carolina Declaring the Intent of the County of Macon, North Carolina to Reimburse Itself for Capital Expenditures Incurred in Connection with Certain Improvements to Union Academy and Highlands School from the Proceeds of a Certain Installment Purchase Contract to be Executed and Delivered in Calendar Year 2015," a copy of which is attached (Attachment 4) and is hereby made a part of these minutes.

The final part of the QZAB discussion centered around the project to renovate the track and softball field at Highlands School. With the county having pledged to provide \$50,000 toward this particular project, these funds are to be used as part of the required match for the QZAB loan, with the county's contribution dedicated toward a portion of the project that costs \$50,000. Following further discussion, and upon a motion by Commissioner Tate, seconded by Commissioner Shields, the board voted unanimously to instruct the County Manager to place the \$50,000 into a capital line item in the new Fiscal Year 2015-16 budget as the match for the Highlands portion of the QZAB loan.

UPDATE ON PENLAND CONTRACTING CHANGE ORDER: The County Manager explained that when the board had discussed and approved items in a change order to the Penland Contracting contract for the Parker Meadows Recreational Complex on April 14th, there were two items that had been

withdrawn. Those two items involve grants from Duke Energy, with one involving the building of two canoe/kayak launches along Cartoogechaye Creek at a cost of \$29,000, and the other as a streambank restoration project for a beach area at a cost of \$4,000. The County Attorney said that he wanted to be sure that the granting agency had no problem with the county overseeing this work. Upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted unanimously to approve the items as presented, based on the terms of the grant agreements.

REVISION TO AGREEMENT WITH HIGHLANDS CHAMBER OF COMMERCE:

The County Attorney told the board that he had made a minor change to the payment provision of the Service Contract between the county and the Highlands Area Chamber of Commerce that the board had approved on April 14th. He recommended that the board rescind that agreement, and then approve the revised one. Upon a motion by Commissioner Tate, seconded by Commissioner Shields, the board voted unanimously to rescind the Service Contract with the chamber approved on April 14, 2015 and to approve the revised contract as presented, a copy of which is attached (Attachment 5) and is hereby made a part of these minutes.

JOINT MEETING WITH THE TOWN BOARDS: The County Manager said that it is the county's turn to host the joint meeting with the Town of Franklin Board of Aldermen and the Town of Highlands Board of Commissioners, and he proposed the date of May 19th for the meeting, which would begin at 6 p.m. at the Macon County Heritage Center at the Historic Cowee School.

WORK SESSION WITH THE MACON COUNTY BOARD OF EDUCATION:

Following discussion with Dr. Baldwin, the board agreed to hold a budget work session with the Macon County Board of Education on Thursday, May 4th at 4 p.m. at the Iotla Valley Elementary School. The County Attorney recommended that the board recess this meeting until that date, time and location.

ANNOUNCEMENTS/APPOINTMENTS:

Commissioner Beale noted that County Assembly Day would be held in Raleigh May 5th and May 6th. Commissioner Shields suggested rescheduling the planned meeting date of June 16th to adopt the budget, as it conflicts with the Franklin High School graduation. Chairman Corbin said that he would be out of town on May 12th, and that Vice-Chairman Tate would chair the regular meeting, which will not include the manager's presentation of the proposed Fiscal Year 2015-16 budget as it will be moved to a later date. Commissioner Tate said that the Town of Highlands Board of Commissioners had selected Derek Taylor to replace John Underwood on the Macon County Planning Board, and upon a motion by Commissioner Tate, seconded by Commissioner Shields, the board voted unanimously to appoint Mr. Taylor to the planning board.

SUNDAY HUNTING: Commissioner Higdon asked to address the issue of proposed legislation (House Bill 640) that would allow hunting on Sunday. He said he is opposed to the legislation, which he said would essentially allow three-day hunts on private land, adding that this would mean “big money down east” in the state. “It’s rich man’s hunting,” he said, and asked the board to oppose it. Commissioner Tate said that he would love the opportunity to hunt on Sunday, as he “grew up in Georgia doing it.” Chairman Corbin said that in the absence of a resolution, he suggested authorizing the County Manager to write a letter to the county’s legislative delegation opposing the bill. Commissioner Higdon made a motion to authorize the letter, and it was seconded by Commissioner Shields. The board voted 4-1, with Commissioner Tate opposing, to approve the motion, with the County Attorney to assist in drafting the letter.

CLOSED SESSION: Upon a motion by Commissioner Beale, seconded by Commissioner Higdon, the board voted unanimously to go into closed session at 7:05 p.m. for the purpose of preserving the attorney/client privilege under NCGS 143-318.11(3). Upon a motion by Commissioner Tate, seconded by Commissioner Beale, the board voted unanimously to come out of closed session and return to open session at 7:20 p.m. No action was taken.

RECESS: At 7:21 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to recess the meeting until Thursday, May 7, 2015 at 4 p.m. at Iotla Valley Elementary School, 1166 Iotla Church Road, Franklin, NC.

Derek Roland
Ex Officio Clerk to the Board

Kevin Corbin
Board Chairman