

**MACON COUNTY BOARD OF COMMISSIONERS  
NOVEMBER 12, 2013  
MINUTES**

Chairman Corbin called the meeting to order at 6:04 p.m. All Board Members, the Interim County Manager, Finance Director, County Attorney, members of the news media and interested citizens were present.

**ANNOUNCEMENTS:** The Interim County Manager made the board members aware of invitations to a check presentation ceremony for the Hospice House Foundation of WNC, Inc. on November 21<sup>st</sup> as well as the Eagle Scout Court of Honor for Andrew Baldwin on December 14<sup>th</sup>. Commissioner Beale reminded the board that November 15<sup>th</sup> is designated as Macon County Pancreatic Cancer Awareness Day.

The board presented plaques to two grand champion winners from the North Carolina State Fair. Chairman Corbin recognized Katie Gibson, winner of the Born & Bred Grand Champion Steer, and Commissioner Beale recognized A. J. Carpenter, who took top honors for Grand Champion Steer.

Commissioner Tate recognized Karl Gillespie for his service as chairman of the Macon County Planning Board and presented Mr. Gillespie with a small gift.

Paul Carlson and Bill Dyar with the Land Trust for the Little Tennessee (LTLT) presented the Board of Commissioners with the Robert and Virginia Ramsey Brunner Conservationist of the Year Award for the board's support of turning the old Cowee School into the Macon County Heritage Center. Chairman Corbin accepted a framed print of a photo of the school on the board's behalf.

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

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

**PUBLIC HEARING ON COMMUNITY TRANSPORTATION PROGRAM**

**APPLICATION:** Chairman Corbin called the public hearing on the Community Transportation Program Application to order at 6:15 p.m. as noticed. No one from the public signed up to speak, and Chairman Corbin recognized Macon Transit Director Kim Angel, who provided an overview of the application. Mrs. Angel explained that she was seeking funding for the next fiscal year (2014-15) in the amount of \$553,531, which would require a local match of \$55,353. She said these funds support the majority of her department's administrative staff salaries. The application will also include a request for two replacement vehicles, a radio system upgrade and a "needs" study regarding expansion of the Transit office building, including safety and security measures. She requested that the board adopt a Community Transportation Program Resolution (Attachment 1). Following questions from Commissioner Higdon, upon a motion by Commissioner Tate, seconded by Commissioner Haven, the board voted unanimously to close the public hearing at 6:25 p.m. Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to approve the Community Transportation Program Resolution as submitted, a copy of which is attached and is hereby made a part of these minutes.

**PUBLIC COMMENT:** No one signed up to speak during the public comment period.

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

- To add an appointment regarding the Area Agency on Aging under Appointments as Item 12B, per Commissioner Beale.
- To give authority to the County Attorney to attach budget information to a contract with the North Carolina Department of Transportation involving a Transit program for veterans. (Upon a motion by Commissioner Higdon, seconded by Commissioner Beale, the board voted unanimously to approve this item at the time it was presented for addition to the agenda.)
- To add discussion regarding the need for a special meeting, or continuation of this meeting, prior to the end of the month in order to address solid waste issues, per Commissioner Higdon, who

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noted that some of that discussion would need to take place in closed session.

**ZONTA CLUB PROCLAMATION:** Connie Grubermann with the Zonta Club of Franklin presented a proclamation for the board's consideration aimed at raising public awareness regarding violence against women. Chairman Corbin read portions of the proclamation for the record, and upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to adopt a proclamation entitled, "Zonta Says NO – November 25 Kick-Off and 16 Days of Activism to Raise Public Awareness Regarding Violence Against Women," a copy of which is attached (Attachment 2) and is hereby made a part of these minutes.

**CERTIFIED HEALTH CARE NAVIGATORS:** Cynthia Solesbee requested time on the agenda to inform the public on her role as a Certified Health Care Navigator who has been assigned to serve in Macon County. She explained that her job was to help consumers navigate the health insurance marketplace, provide assistance in understanding new insurance options, provide free, impartial and unbiased information regarding enrollment and to help consumers find the most affordable coverage that meets their needs. Ms. Solesbee provided her contact information and stressed her availability to "meet with folks anytime." No action was necessary.

**REQUEST FROM MACON PROGRAM FOR PROGRESS:** Chuck Sutton, the executive director of Macon Program for Progress (MPP), requested assistance from the county to supplement administrative funds for MPP's Housing Assistance Program. Due to cuts in federal funding from Housing and Urban Development (HUD), Mr. Sutton explained that he was coming up approximately \$1,000 a month shy of his program administrative costs. Following discussion, and upon a motion by Commissioner Haven, seconded by Commissioner Beale, the board voted unanimously to provide \$12,000 to MPP from contingency to help cover these costs. The Finance Director requested a letter from Mr. Sutton outlining the specifics of his request.

**UPDATE ON RADIO COMMUNICATIONS CONSULTING SERVICES:** Commissioner Tate reminded the board that at the October regular meeting, the commissioners had agreed to enter into a contract with Federal Engineering to provide consultation regarding the county's emergency communications. However, he said that the firm is now asking for more money to perform the same work that was verbally agreed upon, and that he was now recommending that the county switch to Mission Critical Partners to perform the survey. Emergency

Management Director David Key then reviewed the points that were verbally agreed upon with Federal Engineering versus items found in their proposed contract, which had increased in price by \$8,416. Meanwhile, Mission Critical Partners had lowered their cost by \$4,094 to \$31,263. Saying this had “left a bad taste in my mouth,” Commissioner Tate made a motion, seconded by Commissioner Haven, to switch to Mission Critical Partners at an additional cost to the county of \$4,893 (above the \$26,370 approved at the October 8, 2013 regular meeting), with the funds to come from contingency with an appropriate budget amendment, and to withdraw from contract negotiations with Federal Engineering, and all favored. A copy of the contract with Mission Critical Partners is attached (Attachment 3) and is hereby made a part of these minutes.

**BIDS FOR PATROL VEHICLES:** Following brief discussion with Sheriff Robert Holland and upon a motion by Commissioner Haven, seconded by Commissioner Tate, the board voted unanimously to award a formal bid in the amount of \$143,978 to Franklin Ford for six police interceptor sedans for the Macon County Sheriff’s Office. A copy of the bid tabulation is attached (Attachment 4) and is hereby made a part of these minutes.

**STREAM GAGE AGREEMENT WITH THE U.S. GEOLOGICAL SURVEY:** County Planner Matt Mason explained that the U.S. Geological Survey had made a request to place a stream gage monitoring station for the Little Tennessee River on county property at the Friends of the Greenway headquarters at 573 East Main Street in Franklin, and he presented a proposed agreement for the board’s consideration. The County Attorney pointed out that the initial agreement made a request for one site, but that a subsequent request called for two possible sites, one on each side of the river. After discussion that primarily centered on legal issues, and upon a motion by Commissioner Haven, seconded by Commissioner Higdon, the board voted unanimously to approve the agreement contingent upon the County Attorney resolving any outstanding legal matters, including right-of-way issues with Duke Energy. A copy of the agreement is attached (Attachment 5) and is hereby made a part of these minutes.

**CHANGE ORDER NUMBER 5 ON THE SWISS COLONY AREA WATER SYSTEM IMPROVEMENTS:** The Interim County Manager highlighted a number of items included in the change order, specifically the need to move the “tie-in” point that serves the residents of Rolling Acres Mobile Home Park from Riverbend Road to Arthur Drake Road. The Finance Director explained that approximately \$106,000 in grant funding was

available to cover the increased cost of \$24,857.86. Following lengthy discussion, and upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted 3-2 to approve Change Order Number 5 on the Swiss Colony Area Water System Improvements as presented, with Commissioners Beale, Corbin and Tate favoring and with Commissioners Haven and Higdon opposing. A copy of the change order is attached (Attachment 6) and is hereby made a part of these minutes.

**LEASE WITH THE APPOINTED HOME:** Economic Development Director Tommy Jenkins requested that the board renew a one-year lease for space in the Business Development Center with Debra Green, doing business as The Appointed Home. Under the agreement, the lease would commence on November 1, 2013 and run through October 31, 2014 with a monthly rent of \$192. Mr. Jenkins said the business had tripled its net revenue and noted this would be the last year it would lease space from the county. Upon a motion by Commissioner Tate, seconded by Commissioner Haven, the board voted unanimously to approve a resolution declaring the property as surplus and a one-year lease to Ms. Green, doing business as The Appointed Home. A copy of the resolution (Attachment 7) and the lease (Attachment 8) are attached and are hereby made a part of these minutes.

**LEASE AGREEMENTS FOR COMMUNITY CARE CLINICS IN FRANKLIN AND HIGHLANDS:** The County Attorney and Public Health Center Director Jim Bruckner asked the board to consider approval of leases for the community care clinics in both Franklin and Highlands. Both clinics have been in operation for some time without written agreements. Mr. Bruckner cited the need to formalize the longstanding relationships between the county, the health department and the clinics, and said each clinic would be open approximately 20 hours per week. Upon a motion by Commissioner Tate, seconded by Commissioner Haven, the board voted unanimously to approve the following: (1) a resolution declaring property to be surplus and a one-year lease of that property to the Community Care Clinic of Franklin for space at the Macon County Public Health Center at 1830 Lakeside Drive in Franklin, with the rent-free lease to run from November 1, 2013 to October 31, 2014 and (2) a resolution declaring property to be surplus and a one-year lease of that property to the Community Care Clinic of Highlands-Cashiers, Inc. for space at the Macon County Public Health Center's Highlands Facility at Aunt Dora Lane off Buck Creek Road in Highlands, with the rent-free lease to run from November 1, 2013 to October 31, 2014. Copies of both resolutions are attached (Attachments 9 and 10) as well as the accompanying lease agreements (Attachments 11 and 12) and are hereby made a part of these minutes.

**LITTLE TENNESSEE RIVER GREENWAY ORDINANCE:** The County Attorney told the board that an amendment to the ordinance regulating the use of the Little Tennessee River Greenway was adopted at the October 8, 2013 regular meeting, and that he was now asking that a reference contained in that amendment to Section 27.303 of the ordinance be amended by deleting that reference to “Section 27.303” and replacing such reference with “Section 28.303.” Upon a motion by Commissioner Haven, seconded by Commissioner Beale, the board voted unanimously to approve “An Ordinance Amending “An Ordinance Regulating the Use of the Little Tennessee River Greenway, as Amended on October 8, 2013,” a copy of which is attached (Attachment 13) and is hereby made a part of these minutes.

**CONSENT AGENDA:** Upon a motion by Commissioner Beale, seconded by Commissioner Tate, the following items on the consent agenda were unanimously approved: **Minutes** – Approved the minutes from the October 8<sup>th</sup>, October 15<sup>th</sup>, October 17<sup>th</sup>, October 22<sup>nd</sup>, October 29<sup>th</sup>, October 30<sup>th</sup> and November 4<sup>th</sup> meetings. **Budget amendments** – Approved the following budget amendments: #49 for the Department of Social Services to appropriate \$47 in additional SHIPP grant funds; #50 for the Department of Social Services to appropriate \$6,752 in Family Reunification Funds; #51 for the Transit Department for receipt of a \$1,567 insurance check and repair to Transit Van #193 (Damage to van caused by a third party insured by State Farm Insurance); #52 for the Maintenance/Building & Grounds Department to appropriate \$23,896 from insurance settlements related to water damage at the Health Department; #53 for the Sheriff’s Department to appropriate \$3,000 in donations made to the Citizens Academy; and #54 for Soil & Water Conservation to appropriate a \$8,253 fund balance for carryover funds from Fiscal Year 2012-13. (Revisions with corresponding numbers attached.) **Tax releases** – Approved tax releases in the amount of \$5,795.70 (A computer printout of releases is on file in the Tax Department and the County Manager’s office.) **Monthly ad valorem tax collection report** – No action necessary.

**APPOINTMENTS: (1) Planning Board** – Following discussion, the board members agreed by consensus to delay the appointment to the Planning Board until the December regular meeting. **(2) Joint Community Advisory Committee for the Adult Care Homes and Nursing Homes of Macon County** – Following discussion, the board members agreed by consensus to delay the appointment pending an application from Andy Cloer, whose term has expired. **(3) Cemetery Board** – Upon a motion by Commissioner Hidgon, seconded by Commissioner Beale, the board

voted unanimously to appoint Robert L. Shook to a three-year term on the Cemetery Board, with the term to expire November 12, 2016.

**CLOSED SESSION:** At 7:22 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to go into closed session for the purpose of consulting with the attorney under NCGS 143-318.11(a)(3) and to discuss personnel matters under NCGS 143-318.11(a)(6). At 8:21 p.m., upon a motion by Commissioner Tate, seconded by Commissioner Haven, the board voted unanimously to come out of closed session and return to open session.

**RECESS:** At 8:25 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to recess until November 18, 2013 at 6 p.m. in the commission boardroom on the third floor of the Macon County Courthouse located at 5 West Main Street in Franklin, North Carolina. Chairman Corbin announced to the media that the meeting agenda would include discussion of solid waste issues, some of which could take place in closed session, as well as second interviews with candidates for the county manager's position.

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Mike Decker, Interim County Manager  
Deputy Clerk to the Board

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Kevin Corbin  
Board Chairman