

**MACON COUNTY BOARD OF COMMISSIONERS  
AUGUST 9, 2016  
MINUTES**

Chairman Corbin called the meeting to order at 6:01 p.m. and welcomed those in attendance. All Board Members, the County Manager, Deputy Clerk, Finance Director, County Attorney, members of the news media and interested citizens were present.

**ANNOUNCEMENTS:** Chairman Corbin said that he, Commissioner Beale and the County Manager had attended the recent National Association of Counties (NACo) conference in Long Beach, CA, and at that conference, Commissioner Beale was elected to the NACo Board of Directors. Commissioner Beale was elected unanimously by the North Carolina Association of County Commissioners (NCACC) membership to serve a two-year term on the NACo board. Chairman Corbin thanked Commissioner Beale for his service and said, "I can't think of anybody better than Ronnie" to represent North Carolina.

**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 WIRELESS TELECOMMUNICATION FACILITIES ORDINANCE:** Chairman Corbin called the public hearing on the proposed and restated Wireless Telecommunication Facilities Ordinance to order at 6:04 p.m. and recognized the County Attorney for comments. The County Attorney pointed out some "minor changes" to the ordinance, including one in paragraph (D) of Section 154.08 where a reference to 24 months should instead be six months. Also, he asked that the first paragraph in Section 154.09 regarding the requirement of a public hearing be removed and that he would be providing a replacement. Commissioner Shields questioned the spelling of the term "colocation" as found in the definitions in Section 154.05, and the County

Attorney said that it would be corrected, as well as the misspelling of the word “tower” in the title of the ordinance. Commissioner Beale had questions about the height of a structure as listed in Section 154.08 as it pertains to a protected mountain ridge and being 40 feet higher than the vegetative canopy, which led to a brief discussion. Chairman Corbin then recognized **Donn Erickson**, who signed up to speak at the hearing. Mr. Erickson told the board that he lives in the Cartoogechaye area where there is no cell service and very limited internet service. In speaking with representatives of Frontier, he said he was told the only reasonable way to get better service is with a new tower, and then voiced his primary concern with the ordinance. He suggested that it should allow a tower to be high enough in order to serve the community, saying it should “go as high as necessary to make service available to as many as possible.” This led to a discussion involving board members and several members of the audience regarding the lack of service in certain areas of the county. At 6:29 p.m., upon a motion by Commissioner Tate, seconded by Commissioner Beale, the board voted unanimously to close the public hearing. By consensus, the board declined to consider taking action on the ordinance, and the County Attorney said a final document would be prepared for the board’s consideration at the September regular meeting. This was followed by a brief discussion related to the county planning board’s next task. No action was taken.

**PUBLIC COMMENT: Purshotam Aruwani**, a pre-med student at UNC-Chapel Hill, told the board that he is serving as an intern with the North Carolina Association of County Commissioners (NCACC) and would also be the 4-H representative at the NCACC Youth Voice/Youth Summit event. The 17-year-old said that he had interviewed Chairman Corbin earlier in the day, and was using the experience as an opportunity to grow as a leader and to give back to the community. He concluded that he was hoping to learn more about government and the difficulties of being a county commissioner. **Jim Gray** gave the board an update on the U.S. Forest Service’s options regarding additional wilderness areas. He said the key part is coming up next in which the proposals for “front, mid and back country” are discussed, with the least amount of management planned for the back country. He asked the board to continue its stance in opposition to the expansion of wilderness areas within the national forest.

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

- To add as Item #9B under Reports/Presentations a report from Karen Wallace as to how a one-time \$20,000 appropriation from the county was used for the Macon County Public Library, per Commissioner Beale.

- To add as Item #10B remarks by state Sen. Jim Davis, per Commissioner Higdon.

**PRESENTATION BY HEALTH DEPARTMENT STAFF:** Jennifer Garrett, Kyle Jennings and Jonathan Fouts with Macon County Public Health presented a PowerPoint presentation on what the group called “an emerging health issue” dealing with unnecessary exposure to Hepatitis-C (Hep-C) through the sharing of needles, illegal tattooing and unregulated body art, including piercings and implants. In their report to the board, the group provided an overview of Hep-C, how the disease has become a significant health concern in the neighboring counties of Graham, Clay and Cherokee, and how improper and illegal tattooing techniques lead to the transmission of diseases, including Hep-C, that are serious and have lifelong impacts. Mr. Fouts, who is the tattoo inspector for the county, gave the board examples of illegal practices, such as giving tattoos to those under the age of 18, regardless of parental consent. They also pointed out that piercings and body modifications have their own set of issues in terms of the spread of bloodborne pathogens. The report concluded with a list of areas of concern that, ultimately, are issues that need to be addressed by the state legislature, and the group asked that the commissioners go to the NCACC and request that this be one of the association’s legislative goals. After much further discussion, Chairman Corbin said he would take the document compiled by the department’s staff to the NCACC’s Legislative Goals Committee. A copy of the report is attached **(Attachment 1)** and is hereby made a part of these minutes.

**LIBRARY REPORT:** Karen Wallace with Macon County Public Library thanked the commissioners for their support and introduced two of the library’s board members. Commissioner Beale handed out copies of a letter from Lenny Jordan, the chairman of the Macon County Public Library Board of Trustees. Ms. Wallace noted that the recent one-time \$20,000 appropriation from the commissioners was used for “personnel expenses for library staff.” She said that this was the fourth consecutive year that the library has not received an increase in its operating budget, although services there have been expanded. She went on to state that the library would be reducing its hours from 60 to 56 per week, closing one hour earlier on Mondays through Thursdays. She said this would save the library \$8,300 a year with no one being laid off. Commissioner Beale said that the library board would revisit this matter in the spring or summer of 2017. No action was necessary, and a copy of Mr. Jordan’s letter is attached **(Attachment 2)** and is hereby made a part of these minutes.

**CONTINUED DISCUSSION REGARDING RESOLUTION ON INCREASING PER PUPIL FUNDING AND FULLY FUNDING PUBLIC SCHOOLS:** John deVille again requested consideration of a revised resolution on increasing per pupil

funding and fully funding public schools. Mr. deVille told the board that, adjusted for inflation, North Carolina is spending \$855 less per student. In addition to inflation, he said the system now has more students but fewer teachers and assistants. He told the commissioners, "You are our lobbying organization," and asked again that they adopt the resolution. This led to a lengthy discussion. Commissioner Shields asked where the resolution, if approved, would be sent. Commissioner Higdon said that in reference to the language asking officials to restore funding to levels seen in 2008 that he wished he could go back in time as well but added that "a lot has happened" since then. Commissioner Beale noted that a resolution is a political statement, and said he wasn't sure if adopting the resolution "would be a benefit to our county and our schools." Chairman Corbin, who is seeking a seat in the state House in November, told Mr. deVille that in passing such a resolution he would be going against "the people I may be going to work with." Commissioner Shields encouraged Mr. deVille to "keep working at it," adding that "just because we don't act on it doesn't mean we don't believe in it," and Commissioner Tate pointed out that Mr. deVille was "here battling for something you believe in deeply." After further discussion, no action was taken.

**REMARKS FROM SEN. DAVIS:** State Sen. Jim Davis, a Republican from Franklin, directed most of his remarks toward education, including handing out a chart he says shows K-12 state education spending has increased every year since 2010. Sen. Davis said a resolution passed by the Macon County Board of Education, very similar to the one Mr. deVille asked the commissioners to adopt, "is in error." He went on to state that funding for textbooks has been restored, adding that 56 percent of the state budget is spent on education, and "we can have a debate on whether it is enough." After an exchange with Commissioner Beale over new taxes passed by the General Assembly, Sen. Davis said that average teacher pay in North Carolina will top \$50,000, and with some of the best benefits in the US. Commissioner Shields later commented on proposed legislation that would have an impact on state funding for K-12 schools in Highlands and Nantahala, noting that it would be worth \$1.5-million to Macon County. The board members expressed their appreciation to Sen. Davis for his service.

**REVISED MOUNTAIN VALLEY FIRE DISTRICT MAP:** Emergency Management Director Warren Cabe outlined a request to the board to approve a revised fire district map for Mountain Valley Volunteer Fire Department that would not include a substation, but a satellite station instead. In doing so, he said it would allow the department to operate with 20 members instead of 28. Mr. Cabe recommended the modified map to the board, noting that the department's protection class and tax rate will remain the same. Following further discussion, and upon a motion by Commissioner Tate, seconded by

Commissioner Beale, the board voted unanimously to approve the revised map as presented. A copy of the map is attached (Attachment 3) and is hereby made a part of these minutes.

**SOLID WASTE ITEMS/PURCHASE OF COMPACTOR:** Solid Waste Director Chris Stahl presented three items for the board's consideration, the first of which was a proposed budget amendment in the amount of \$794,500 – which would move money from the enterprise fund's fund balance to a capital equipment line item in order to cover the cost of purchasing a compactor. Upon a motion by Commissioner Tate, seconded by Commissioner Shields, the board voted unanimously to approve Budget Amendment #16 as presented, a copy of which is attached (Attachment 4) and is hereby made a part of these minutes.

With the budget amendment approved, Mr. Stahl asked that the board consider awarding the bid for the compactor to CMI Roadbuilding at a total cost of \$763,900, and Mr. Stahl reviewed in detail the various options, changes and additions to the purchase that he had discussed with the vendor. Commissioner Higdon made a motion to award the bid to CMI Roadbuilding as presented, and the motion was seconded by Commissioner Shields. During the continued discussion, Mr. Stahl pointed out that he had sent some of his department's operators to Texas and Iowa to review the equipment, and that the product from CMI Roadbuilding will be the first of these machines that the firm had produced, and that representatives of the vendor "will make lots of visits here" as the compactor is placed into service. The motion was then unanimously approved.

The board members and Mr. Stahl then reviewed a proposed change order in the landfill construction project in the amount of \$26,727. Mr. Stahl said the need for the change order is related to stormwater outfalls that are located near the county's Transit, Garage and Maintenance facilities. He further explained that the urgency is centered around the lead time to purchase the necessary materials and to keep the project schedule on track. By next month, Mr. Stahl said he would present the entire cost for the project to the board.

The focus then turned to a letter from Kenneth and Joyce Pannell, who were present at the meeting, and the couple's proposal that the county purchase their property, located at 97 Pannell Lane and "located directly in front of the new landfill cell which is currently under construction." A copy of the letter is attached (Attachment 5) and is hereby made a part of these minutes. After Mr. Pannell addressed the board, Commissioner Beale recommended that the County Manager review the situation and respond to the Pannells in writing.

Chairman Corbin declared a recess at 8:35 p.m.

Chairman Corbin called the meeting back to order at 8:45 p.m.

**TRANSIT DEPARTMENT ALLOCATION:** Transit Director Kim Angel presented a request for a \$13,860 allocation for her department. She explained that the reason for the request was to add a “transit door system” or school bus type entry to three vehicles that she will be ordering in Fiscal Year 2017. She said that the department had ordered four new vehicles that were received on June 30<sup>th</sup> and were placed into service on July 18<sup>th</sup>, but that a number of complaints have been received from elderly and disabled passengers who had trouble boarding the vehicle due to the height of the steps. This makes some of the passengers feel “very uncomfortable,” she said, noting that the driver sometimes has to assist them in getting on the vehicle. All of this poses a serious safety issue, she said, prompting her request to the board. The additional cost of \$4,620 per door is “100 percent county money,” she explained. Following a recommendation from Chairman Corbin, and upon a motion by Commissioner Shields, seconded by Commissioner Beale, the board voted unanimously to allocate the \$13,860 from contingency.

**NCDOT CONSTRUCTION AGREEMENT FOR PARKER MEADOWS RECREATIONAL COMPLEX PAVING PROJECT:** The County Manager explained that the North Carolina Department of Transportation (NCDOT) is requesting the county’s approval of an agreement by which NCDOT will pave the walking trail and parking lot access at the Parker Meadows Recreational Complex for \$13,000, with the funds to be paid “up front.” The County Manager noted that if the project costs less than \$13,000, the county will get a refund, and that if it exceeds that amount, the balance will be due. Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve the agreement, a copy of which is attached **(Attachment 6)** and is hereby made a part of these minutes.

**TELEPHONY PROJECT:** Information Technology Director Andy Muncey presented an update on the ongoing project of replacing the county’s aging phone system with a reliable, modern one that would cost much less to maintain and operate. He reminded the board that the committee that went through the request for proposals (RFP) process had recommended Frontier, which received the highest score in the tabulation criteria and met the RFP requirements, where the award is based on the best overall value and IT integration, not the lowest cost. Mr. Muncey noted that the Frontier proposal was also the most cost effective, with the expected yearly savings to range from \$75,000 to \$140,000. He then reviewed his contacts with references regarding the use of Frontier by other public sector organizations, as well as a list of 10 reasons why a “hosted” voice over internet protocol (VOIP) is better than a traditional system. In conclusion, Mr. Muncey outlined five key reasons the

Frontier proposal exceeded the others, a copy of which is attached (Attachment 7) and is hereby made a part of these minutes. The County Attorney pointed out that the board needed to first ratify and approve the process that was followed, based on state statute 143-129.8, and upon a motion by Commissioner Shields, seconded by Commissioner Higdon, voted unanimously to do so. Secondly, the County Attorney said the board would need to make a determination that Frontier's proposal was the best overall, based on consideration of the factors found in the RPF, and Commissioner Shields made a motion to do so, seconded by Commissioner Higdon. The motion was approved 4-1, with Commissioner Beale opposing, who said he did so based on his knowledge and experience with Frontier. The discussion then turned to the proposed contract with Frontier. The County Attorney handed out copies of the document, and explained to the board members that it could be approved on the condition that the county's current arrangement for telephone service would end and that he could make "non-material" changes to the document. Following discussion and questions from Commissioner Tate as to pricing, and upon a motion by Commissioner Higdon, seconded by Commissioner Shields, the board voted 4-1, with Commissioner Beale opposing, to approve the contract as presented with the stipulations outlined by the County Attorney.

**COUNTY MANAGER'S SALARY:** Commissioner Tate began the discussion by stating that he "wouldn't trade our county manager for anyone else," and reminded the board that he had presented comparison rates for salaries at the June board meeting. With neighboring Jackson County having hired a new manager at a significantly higher rate, Commissioner Tate told Mr. Roland that it was time to "bring you up to par," and recommended to the board to raise the County Manager's salary to the \$120,000 range. The County Attorney explained the process for amending the County's Manager's employment agreement. During discussion, the board agreed to take \$21,062 out of contingency and to make the new salary effective on August 22<sup>nd</sup>. Commissioner Tate made a motion to amend the employment agreement by raising the salary amount to \$120,000, and Commission Beale seconded the motion. Following further discussion, the board voted unanimously to approve the "First Amendment to Employment Agreement," a copy of which is attached (Attachment 8) and is hereby made a part of these minutes.

**NCACC VOTING DELEGATE:** Upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted unanimously to designate Chairman Corbin as the county's voting delegate at the North Carolina Association of County Commissioners (NCACC) Annual Conference to be held August 11-14, 2016 in Forsyth County.

**CONSENT AGENDA:** Upon a motion by Commissioner Shields, seconded by Commissioner Tate, the following items on the consent agenda were approved



unanimously: **Minutes** – Approved the minutes from the June 14, 2016 regular meeting, the June 28, 2016 continued session, the July 12, 2016 regular meeting and the July 19, 2016 continued session. **Budget amendments** – Approved the following budget amendments: #17 for the Health Department to “roll” \$5,283 in unexpended grant money to the current fiscal year; #18 for the Health Department to “roll” \$2,883 in unexpended money (donations) to the current fiscal year; #19 for the Department of Social Services to transfer \$33,395 of federal adoption funds, SHIPP funds and Project Fans funds; #20 for the Department of Social Services to appropriate \$10,000 in concession donations; #21 for Emergency Services to appropriate revenue and expenditures in the amount of \$34,499 for the Evergreen Foundation Grant received by EMS for the expansion of the Community Paramedic Program; #22 for the Transit Department to move funds for Fiscal Year 2016 expenses that won’t occur until Fiscal Year 2017, including \$6,549 for titles/transfers, \$29,008 for equipment/vehicles and \$29,409 for computer supplies (Revisions with corresponding numbers attached). **Tax releases** – Approved tax releases for July 2016 in the amount of \$6,788.65. (A computer printout of the releases is on file in the Tax Department and the Deputy Clerk’s office.) **2015 Year End Tax Settlement Report** – No action was necessary, and a copy of the report is on file in the Deputy Clerk’s office.

**APPOINTMENTS: (1) Board of Health:** Upon a motion by Commissioner Higdon, seconded by Commissioner Tate, the board voted unanimously to reappoint Emily Bowers to the Nurse slot on the Macon County Board of Health and to appoint Gena Futral to one of the General Public slots on the board, both for terms of three years.

**CLOSED SESSION:** Upon a motion by Commissioner Higdon, seconded by Commissioner Tate, at 9:41 p.m., the board voted unanimously to go into closed session for the purpose of preserving the attorney/client privilege under NCGS 143-311.11(a)(3). At 10:14 p.m., upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted to go out of closed session and return to open session. No action was taken.

**ADJOURN:** With no other business, at 10:15, p.m., upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted unanimously to adjourn.

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Derek Roland  
Ex Officio Clerk to the Board

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Kevin Corbin  
Board Chairman