

MACON COUNTY BOARD OF COMMISSIONERS
AUGUST 14, 2018
MINUTES

Chairman Tate 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: Commissioner Beale said that the annual Macon County Heritage Day would be held on Saturday, August 18th at the Macon County Heritage Center at Cowee School. He added that a crowd of some 2,500 people was expected.

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

PLEDGE TO THE FLAG: Led by the County Manager, the pledge to the flag was recited.

PUBLIC COMMENT PERIOD: **Sheila Jenkins and Sara Jane Melton** told the board that the Region A Senior Celebration would be held on September 7th from 9 a.m. to 2 p.m. at the Western Carolina University Ramsey Center in Cullowhee, NC. Ms. Jenkins requested \$500 from the board to help sponsor the event. Commissioner Beale made a motion to approve the \$500 and to take the funds from the contingency line item, and Commissioner Shields seconded the motion. Chairman Tate asked for “a little bit more of a heads up” in the future, and Ms. Melton apologized for the last minute notice, and after further discussion, the board voted unanimously to approve the request.

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

- To add an additional item under New Business Item 11A (Renewal of lease with Inovotex, LLC) for consideration of a resolution and a lease for a portion of the county’s Small Business Center to be used by the Macon

County Schools STEM (Science, Technology, Engineering, Mathematics) Program, per the County Attorney.

- To remove Item 11B(1) under New Business (Macon County Transit updated Safety System Plan), per the County Manager.
- To add a brief report as Item 9B under Reports/Presentations regarding the recent “No Wrong Door” meeting, per Commissioner Beale.
- To hold a closed session under Item 14 for the purpose of preserving the attorney/client privilege and to discuss the possible acquisition of real property, per the County Attorney.
- To add consideration of relieving the Tax Department of collecting taxes from 2007 as part of the Consent Agenda as Item 12F, per the Finance Director.
- To remove Item 10A (Public Wi-Fi for libraries), per Commissioner Gillespie.

STATE AWARD NAMED IN HONOR OF DOROTHY CRAWFORD: Department of Social Services (DSS) Director Patrick Betancourt shared the news of an announcement by the North Carolina Department of Health and Human Services – Division of Aging and Adult Services – regarding a newly created statewide award named in honor of former Macon County DSS Director Dorothy Crawford. He said the Dorothy R. Crawford Award will recognize an individual or organization that has developed innovative strategies related to or having a significant impact on the lives of older adults through Adult Protective Services or guardianship. Mrs. Crawford, who turned 100 in April of this year, accompanied Mr. Betancourt to the meeting and was recognized by the board. It was noted that Mrs. Crawford remains active in the community, her church and in various statewide organizations, such as the Senior Tar Heel Legislature. In fact, she told the board that she needed to leave the meeting in order to attend another one. Mrs. Crawford received a round of applause. No action was necessary.

“NO WRONG DOOR”: Commissioner Beale gave the board a brief report on an upcoming meeting of the “No Wrong Door” planning committee meeting which is scheduled for Thursday, August 16th. The aim of the program is to provide easy access to information and services for those with mental health and substance abuse issues. No action was necessary.

UPDATE ON SPACE NEEDS ANALYSIS: The County Manager told the board that a Request for Qualifications (RFQ) for a Master Facility Plan/Space Needs Assessment would be issued August 27, 2018 with responses due by Monday, September 24, 2018 at 2 p.m. Under the proposed schedule, work on the plan/assessment would begin on October 10, 2018 and would be completed by January 25, 2019. He said this schedule will fit into the board’s budget kickoff meeting and the plan/assessment will work with the Capital Improvement Plan

Minutes

08.14.18

Page 2 of 7

(CIP). He said the analysis will be focused on the following items: (1) the identification and assessment of current space, (2) the identification of 5-to-10 year projected space needs, which consider current/existing space deficits, (3) compare/assess the county CIP recommendations and make suggestions for prioritization based on findings over the next, 5, 10,15 and 20 years, (4) recommendations with regard to providing for the space needs identified and (5) an estimate of the probable costs. The County Manager then reviewed a "Space Needs Analysis Project Summary," which included a listing of various county properties. A copy of the RFQ and the project summary are attached (Attachments 1 and 2, respectively) and are hereby made a part of these minutes. The County Manager said the space needs analysis will help county officials better prioritize needs for the CIP, and this led to questions and further discussion. The Finance Director pointed out that with a RFQ, the decision regarding the selection of a firm to perform the work will need to be based on qualifications, not dollars. She and the County Manager noted that they would like to present the board with a recommendation at its October 9th regular meeting in order to have the analysis complete by the budget kickoff meeting. Chairman Tate commented that what he liked about the idea is that this gives the county "an unbiased professional opinion" and "gives us something to lean on." Commissioner Higdon questioned if the study would look at levels of service, such as a comparison with neighboring Jackson County, and the County Manager responded that would require a "performance measurement" type of study, which this will not do. No action was taken.

RENEWAL OF LEASE WITH INOVOTEX, LLC: Economic Development Director Tommy Jenkins requested that the board approve a one-year renewal of the lease with Inovotex, LLC for space at the Macon County Business Development Center. The lease would be effective as of June 15, 2018 at a rent of \$1,840 per month. The County Attorney provided the appropriate resolution and lease for the board's consideration, copies of which are attached (Attachments 3 and 4, respectively). Upon a motion by Commissioner Gillespie, seconded by Commissioner Higdon, the board voted unanimously to approve the "Resolution of the Macon County Board of County Commissioners Declaring Property to be Surplus and Approving a One Year Lease of the Same by Macon County to Inovotex, LLC, a Delaware Limited Liability Company."

LEASE WITH MACON COUNTY BOARD OF EDUCATION: Mr. Jenkins also told the board that the Macon County Schools STEM program was interested in using a vacant unit in the building (Unit E) to house the program's "Macon Bots" robotics team, which has approximately 30 students and needs the space. Upon a motion by Commissioner Gillespie, seconded by Commissioner Beale, the board voted unanimously to approve a "Resolution of the Macon County Board of County Commissioners Declaring Property to be Surplus and Approving a One Year Lease of the Same by Macon County to Macon County

Board of Education,” with the payment of monthly rent waived by the county. A copy of the resolution and the accompanying lease are attached (Attachments 5 and 6, respectively) and are hereby made a part of these minutes. In closing, Mr. Jenkins explained that there are three spaces available at the Business Development Center, but pointed out they are “smaller” spaces and thus harder to fill.

TRANSIT CONTINUITY OF OPERATIONS PLAN: Transit Director Kim Angel told the board that a Continuity of Operations Plan (COOP) was a federal requirement for her agency, and noted the assistance of Emergency Services Director Warren Cabe in drafting the plan. She said the COOP outlines how Transit, as well as other county departments, will operate in case of a disaster. Transit is now listed as one of six “Essential Functions.” Following further discussion, and upon a motion by Commissioner Shields, seconded by Commissioner Higdon, the board voted unanimously to approve the Continuity of Operations Plan as presented, a copy of which is attached (Attachment 7) and is hereby made a part of these minutes.

TRANSIT UPDATED TITLE VI PLAN: Ms. Angel made the board aware of three items needed to update the Transit Title VI Program Plan, including one that designates her as the Title VI Coordinator. Upon a motion by Commissioner Shields, seconded by Commissioner Beale, the board voted unanimously to approve the updated plan as presented, a copy of which is attached (Attachment 8) and is hereby made a part of these minutes. In closing, Ms. Angel invited the board to attend Transit’s 20th anniversary celebration on August 30th.

RESOLUTION TO ABANDON A PORTION OF STATE ROAD 1617: The County Attorney explained that all of the affected property owners had signed a petition requesting the North Carolina Department of Transportation (NCDOT) to abandon the final 400 feet of State Road 1617, also known as Holt Road. He had prepared a resolution for the board’s consideration documenting the commission’s support of NCDOT in abandoning this section of the road, and upon a motion by Commissioner Higdon, seconded by Commissioner Shields, the board voted unanimously to approve the resolution as presented, a copy of which is attached (Attachment 9) and is hereby made a part of these minutes.

AGREEMENT TO PROVIDE RECREATION OPPORTUNITIES WITH SCALY MOUNTAIN HISTORICAL SOCIETY: Following a brief explanation from the Finance Director, and upon a motion by Commissioner Higdon, seconded by Commissioner Gillespie, the board voted unanimously to approve an “Agreement to Provide Recreation Opportunities” with the Scaly Mountain Historical Society. Under the annual agreement, the county provides the historical society with \$5,000 in exchange for making the Old Scaly School

Minutes

08.14.18

Page 4 of 7

House available to the general public for recreation purposes. A copy of the agreement is attached (Attachment 10) and is hereby made a part of these minutes.

FIREWORKS PERMIT APPLICATION: Upon a motion by Commissioner Higdon, seconded by Commissioner Beale, the board voted unanimously to approve a request by Grand Finale Entertainment for a fireworks display permit for a private wedding reception to be held September 15, 2018 at The Vineyard at 37 High Holly in Scaly Mountain, NC.

RATIFICATION OF TELEPHONE POLL: Following an explanation by the County Manager, and upon a motion by Commissioner Higdon, seconded by Commissioner Gillespie, the board voted unanimously to ratify a telephone poll of the board conducted by the County Manager on August 7, 2018 with regard to an accident involving a Macon County Transit vehicle that occurred in the parking lot of the Crawford Senior Center on that same date. The County Manager explained that William Terry Land agreed to pay in full the amount of \$1,800 for damages to the Transit van and that Mr. Land would in turn be released from any and all further liabilities related to the accident.

CONSENT AGENDA: Upon a motion by Commissioner Shields, seconded by Commissioner Beale, the board voted unanimously to approve the items on the consent agenda as follows: the minutes of the June 5, 2018 continued session, the June 12, 2018 regular meeting and the June 19, 2018 continued session; the following budget amendments: #20 for the Department of Social Services to carry forward SHIPP funds in the amount of \$2,475 from Fiscal Year 2017-18; #21 for the Department of Social Services to carry revenue from donations/gifts in the amount of \$2,819 from Fiscal Year 2017-18; #22 for the Department of Social Services to carry forward adoption funds in the amount of \$16,533 from Fiscal Year 2017-18; #23 for the Department of Social Services for additional revenue for the Crisis Program in the amount of \$29,454 and for TANF in the amount of \$163,176; #24 for the Department of Social Services to carry forward foster care donations in the amount of \$1,232 from Fiscal Year 2017-18; #25 for the Finance Department to appropriate \$8,304 in federal forfeiture funds and \$1,550 in state forfeiture funds; #26 for the Sheriff's Office to appropriate \$1,958 for PF custom guns ordered but not received until FY 2018-19; #27 for the Health Department to carry forward \$1,230 in donations for Animal Control from Fiscal Year 2017-18; #28 for the Health Department to roll unexpected Cost Settlement funds of \$107,002 to the current fiscal year; #29 for the Health Department to roll unexpected Medical Access Program (MAP) funds of \$9,000 to the current fiscal year; #30 for the Transit Department to appropriate insurance settlement funds of \$1,424; #31 for Veterans Services to carry forward a \$500 donation to the current fiscal year (Copies of the amendments are attached); tax releases for the month of July in

Minutes

08.14.18

Page 5 of 7

the amount of \$24,377.78; the 2017 Tax Settlement report, a copy of which is attached; monthly ad valorem tax collections report (no action necessary); and the request to relieve the tax department for collection of real estate taxes that are 10 years past due (2007 taxes in the amount of \$21,774.60), with a copy of the Tax Collections Supervisor's memo to the commissioners attached.

APPOINTMENTS: (1) **Library Board:** Karen Wallace with Macon County Library reported that Frank Oliver has resigned from the Macon County Library Board of Trustees as he is now serving as the president of the Hudson Library Board of Trustees. Andrew Chmar, also a member of the Hudson board, has expressed interest in Mr. Oliver's seat on the county board and submitted an application for the board's consideration. Upon a motion by Commissioner Higdon, seconded by Commissioner Gillespie, the board voted unanimously to appoint Mr. Chmar to fill the unexpired term held by Mr. Oliver, which ends March 14, 2020. (2) **Highlands Tourism Development Commission:** Per Bob Kieltyka, the selection of Tony Potts as chairman of the Highlands Tourism Development Commission requires the formal approval of the Macon County Board of Commissioners, and upon a motion by Commissioner Beale, seconded by Commissioner Gillespie, that approval was unanimously granted.

CLOSED SESSION: Upon a motion by Commissioner Beale, seconded by Commissioner Gillespie, the board voted unanimously to go into closed session at 6:59 p.m. for the purpose of preserving the attorney-client privilege under NCGS 143-318.11(a)(3) and to discuss the acquisition of real property under NCGS 143-318.11(a)(5). At 7:30 p.m., upon a motion by Commissioner Higdon, seconded by Commissioner Gillespie, the board voted unanimously to come out of closed session and return to open session.

NCDOT QUITCLAIM DEED: The County Attorney explained that the county had worked with NCDOT to provide the state with a right of way and a public utility easement over the Senior Services property on Wayah Street. He said NCDOT has agreed to deed the former Franklin Chamber of Commerce property to the county, subject to a similar right of way and public utility easement. The County Attorney told the board he had asked NCDOT for a warranty deed, but was told the state does not do those and offers a quitclaim deed only. He said he was looking for the board's agreement to accept the quitclaim deed, because if the board doesn't accept it, it will not receive the property. Upon a motion by Commissioner Higdon, seconded by Commissioner Beale, the board voted unanimously to accept the quitclaim deed under the terms outlined by the County Attorney.

ADJOURN: With no other business, at 7:34 p.m., upon a motion by Commissioner Higdon, seconded by Commissioner Beale, the board voted unanimously to adjourn.

Derek Roland
Ex Officio Clerk to the Board

Jim Tate
Board Chairman