



**MACON COUNTY BOARD OF COMMISSIONERS
JANUARY 9, 2024
REGULAR MEETING NOTES**

Chairman Shields called the meeting to order at 6:00 p.m. All Board Members, County Manager Derek Roland, Deputy Clerk Tammy Keezer, Finance Director Lori Carpenter, and County Attorney Eric Ridenour were present, as were a number of county employees, media, and citizens.

ANNOUNCEMENTS:

- (A) Mr. Roland announced that a Special Meeting will be held on Thursday, February 8, 2024, at 1:00 p.m. for the budget kickoff for Fiscal Year 2025. The meeting will be held in the Commissioners Board Room located at 5 West Main Street, Franklin, North Carolina.

MOMENT OF SILENCE: Chairman Shields requested all in attendance rise and a moment of silence was observed.

PLEDGE OF ALLEGIANCE: Led by Commissioner Young, the pledge to the flag was recited.

PUBLIC HEARING(S): None

PUBLIC COMMENT PERIOD: **Jennifer Smith** spoke about an issue with trash disposal in Highlands related to the need for bear-proof containers. She said she had reached out to J&B Disposal but had not been successful in getting the container. Mr. Roland agreed to call her in the morning and follow up. **Betsy Baste** commented about the Town of Franklin's proposed Social District. She said the district is going to be parceled out to avoid the areas owned by the county, and that she wants to see Macon County grow and have activities that attract younger folks. **Scott Baste** spoke about the list of school projects that had not been addressed last year as listed in the newspaper. He said he is in support of getting these projects completed and moving other projects forward.

ADDITIONS, ADJUSTMENTS TO AND APPROVAL OF THE AGENDA: Upon a motion by Commissioner Young, seconded by Commissioner Higdon, the board voted unanimously to approve the agenda, as presented.

REPORTS AND PRESENTATIONS:

- (A) **BALSAMWEST BROADBAND UPDATE** - Matt Saenger, Director of Sales and Marketing with BalsamWest stated that the BalsamWest mission is to deliver robust telecommunication services. He gave an overview of the status of current projects: (1) The Nantahala expansion will provide service to five Macon County offices as well as the Nantahala Library and Community Center and construction is planned to begin next week for Phase I; (2) The GREAT grant awarded in October 2023 to provide service for 263 households and businesses within two years including 58 connections in the Tessentee and

Middle Creek area, a few on Still House Road, 38 in Scaly, and 131 in Highlands and the plan is for pole permits to be submitted in March construction to begin in August; (3) The Georgia Road/Otto/Scaly Mountain Project build out of the fiber infrastructure is still in process with 277 new connections installed or in the process, 101 new connections pending, and 218 prospective connections.

OLD BUSINESS:

(A) CONSIDERATION AND APPROVAL OF BIDS FOR PHASE IA OF THE NEW MASTER PLAN FOR THE MACON COUNTY RECREATION PARK – Parks and Recreation Director Seth Adams provided an update on the Recreation Master Plan Phase I which includes nine pickleball courts, eight tennis courts, a covered bridge, and shelter. He reported that three companies responded to the Request for Qualifications (RFQs) and that McGill and Associates were selected by the Recreation Committee. Mr. Adams said he would move forward in negotiating a fee schedule with them. Commissioner Young and Commissioner Shearl spoke about the consideration and need for soil samples. Commissioner Shearl suggested that the soil samples occur outside of the negotiation of the fee schedule. Commissioner Higdon requested they work in conjunction with the school system on the design of the tennis courts to accommodate the high school tennis team.

(B) CONSIDERATION OF DESIGN PROFESSIONAL FOR MACON MIDDLE SCHOOL TRACK - Macon County School Board member Deidre Breeden read a letter addressed to the Board of Commissioners requesting approval of LS3P as the architect for the Macon Middle School (MMS) track project. After a lengthy discussion regarding ideas and thoughts on the project build process and the need for a design professional, Mr. Roland summarized the previous directive that the Board gave to obtain a design that was apples to apples due to the discussion at that time about drainage, grading, surface, base, etc. He said the school board has approved the respondent and needs to move into contract negotiations. After additional discussion, Commissioner Young made a motion, seconded by Commissioner Antoine, to authorize the Macon County Board of Education to move forward with contract negotiations with LS3P. Mr. Roland will consult with the School of Government on options if the RFQ is rejected and how we would proceed. Commissioner Higdon said he is in favor of going straight to a design and build option and feels we have not adhered to the elements of the RFQ so he will vote "no" on this request. The vote was 3-2 with Commissioner Shields, Commissioner Young, and Commissioner Antoine voting in favor of the motion, and Commissioner Higdon and Commissioner Shearl opposed.

NEW BUSINESS:

(A) DISCUSSION AND APPROVAL OF THE UPDATED DRUG AND ALCOHOL POLICY FOR MACON COUNTY TRANSIT – Transit Director Darlene Asher explained the updated requirements for testing which allows oral swabbing as an additional testing option. She said the only change she had to make to the existing policy was to remove the word "urine". Motion by Commissioner Shearl, seconded by Commissioner Higdon to approve the updated policy as presented. The vote was unanimous.

(B) DISCUSSION AND APPROVAL OF COMMISSIONER LIAISON APPOINTMENTS – Chairman Shields referred to the handout of recommended board and committee liaison assignments [Attachment 1]. With no discussion, members approved the appointments by consensus.

(C) DISCUSSION AND APPROVAL OF UPDATED ENVIRONMENTAL HEALTH FEE SCHEDULE – Health Director Kathy McGaha explained the proposed fee changes due to a legislative change to Rule 18E. She indicated that the Board of Health had also approved these changes. Commissioner Higdon made a motion, seconded by Commissioner Young to approve the fee changes as requested. The vote was unanimous.

CONSENT AGENDA: Upon a motion by Commissioner Higdon, seconded by Commissioner Antoine, the board voted unanimously to approve the consent agenda as presented which includes: (A) Minutes of the December 12, 2023 regular meeting, (B) Budget Amendments #100-104, (C) Resolution Exempting Surveying Services for Deal Farm Easement [Attachment 2], (D) Tax releases for the month of December 2023 in the amount of \$461.02, (E) Monthly ad valorem tax collection report for which no action is necessary.

APPOINTMENTS:

(A) Macon County Public Library (1 seat)

Commissioner Antoine made a motion, seconded by Commissioner Young to approve the appointment of Marsha Moxley as requested. The vote was unanimous.

(B) Area Agency on Aging Advisory Council (1 seat)

Commissioner Antoine made a motion, seconded by Commissioner Young to approve the appointment of Meghan Cribbs as requested. The vote was unanimous.

CLOSED SESSION: At 7:56 p.m., upon a motion by Commissioner Higdon, seconded by Commissioner Shearl, the board voted unanimously to go into closed session as allowed under NCGS 143-318.11(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. At 8:20 p.m., upon a motion by Commissioner Higdon, seconded by Commissioner Shearl, the board voted unanimously to come out of closed session and return to open session.

ADJOURN: With no other business, at 8:20 p.m., upon a motion from Commissioner Higdon, seconded by Commissioner Shearl, the board voted unanimously to adjourn.



Derek Roland
Ex Officio Clerk to the Board



Gary Shields
Board Chair

Committee	Required Y=Yes N=No	Current Commissioner Liaison / Member	Comments
Airport Authority	N	Shields	Not required, but significant to budget. Budget includes \$33,650 annually for operating expenses and when Airport Authority is applying for grants for expansion or special projects, they will request a 10% match from the county.
Animal Control Study Committee	N	Higdon	
Community Funding Pool	Y	Young and Higdon	Funding is budgeted annually. Two (2) commissioner representatives are required and commissioners appoint the other members.
Cooperative Extension	N	Higdon	Advisory board prefers to have a commissioner liaison who serves as a non-voting member.
Dangerous Dog Board	Y	Shields	Required by the Animal Control Ordinance.
Department on Aging Advisory Board / Home and Community Care Block Grant	Y	Antoine	Senior Services advisory board and required to have commissioner member.
Economic Development Commission	Y	Young and Shearl	Commissioner member required by By-Laws.
EMS/911/Emergency Management	N	Shearl	
Fire Commission	Y	Shearl	Commissioner member required (table appointment until further notice)
Friends of the Greenway (F.R.O.G.S)	N	Shields	
Health Board	Y	Higdon	Required to have commissioner member by N.C.G.S. 130A-35.
Inspection/Building Commission	N	Shearl	
Juvenile Crime Prevention Council (JCPC)	Y	Antoine	Required to have commissioner member by N.C.G.S. 143B-845
Law Enforcement/Courthouse Security/REACH	N	Antoine	
LBJ Job Corps	N	Shields	
Library Board	Y	Antoine	Required to have commissioner member by N.C.G.S. 153A-265
Macon Citizens Abilities, Inc.	N	Shearl	County allocates funds in the budget.
Macon Program for Progress	Y	Antoine and Shields	Two (2) commissioners required.

Committee	Required Y=Yes N=No	Current Commissioner Liaison / Member	Comments
Planning Board	Y	Young	Required to have commissioner member by N.C.G.S. 160-D-301.
Recreation Committee	N	Shearl and Young	
Region A and Rural Transportation Advisory Committee	Y	Young	Way of identifying local transportation projects for funding.
Schools	N	Young and Shields	Way of identifying local education projects for funding.
Social Services Board	N	Antoine	Commissioners appoint members or a commissioner may serve on the board in accordance with N.C.G.S. 108A.
Tourism Development Commissioner (TDC) - Franklin/Nantahala	Y	Shields	Contract and budget.
Tourism Development Commissioner (TDC) - Highlands	Y	Shearl	Contract and budget.
Town of Franklin	N	Antoine	
Transit Advisory Board	Y	Shearl	Required by grant.
VAYA	Y	Shields	Commissioner member required by N.C.G.S. 122-C

**RESOLUTION EXEMPTING SURVEYING SERVICES FOR DEAL FARM
EASEMENT FROM THE PROVISIONS OF ARTICLE 3D OF CHAPTER 143 OF
THE NORTH CAROLINA GENERAL STATUTES**

WHEREAS, Article 3D of Chapter 143 of the North Carolina General Statutes establishes a general public policy regarding procurement of surveying services; and

WHEREAS, North Carolina General Statutes Section 143-64.32 provides:

"Units of local government or the North Carolina Department of Transportation may in writing exempt particular projects from the provisions of this Article in the case of proposed projects where an estimated professional fee is in an amount less than fifty thousand dollars (\$50,000)"; and

WHEREAS, Macon County is now in need of surveying services for the Deal Farm Easement in Macon County, North Carolina; and

WHEREAS, the estimated professional surveying fee for the Deal Farm Easement in Macon County, North Carolina is in an amount less than fifty thousand (\$50,000) dollars.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF MACON that the proposed surveying services for the Deal Farm Easement in Macon County, North Carolina, is hereby exempted in writing from the provisions of Article 3D of Chapter 143 of North Carolina General Statutes pursuant to the provisions of N.C. Gen. Stat. §143-64.32.


Adopted this 9th day of January 2024.



Gary Shields, Chairman

Macon County Board of Commissioners

ATTEST:



Clerk to the Board

(COUNTY SEAL)

