



**MACON COUNTY BOARD OF COMMISSIONERS**  
**MAY 30, 2023**  
**SPECIAL MEETING**  
**MINUTES**

Chairman Higdon called the meeting to order at 3:03 p.m. and welcomed all in attendance. All Board Members, County Manager Derek Roland, Tammy Keezer sitting in for Deputy Clerk Mike Decker, Finance Director Lori Carpenter and County Attorney Eric Ridenour were present, as were a number of county employees, media, and citizens.

**ANNOUNCEMENTS** - Commissioner Shields requested modifying the agenda to add a public comment session. Chairman Higdon stated the purpose of the meeting was announced and that no changes could be added. Mr. Ridenour also stated the purpose of the meeting was announced as a special meeting as a work session for the board and that no changes could be made.

**WORK SESSION REGARDING THE PROPOSED FISCAL YEAR 2023-24 BUDGET:**

**Macon County Schools** - Paul Boney with LS3P delivered updated drawings of the proposed Franklin High School (FHS) project and left them for review by board members. He said LS3P is currently working to complete the construction documents of Phase I of the proposed project as well as completing design development for the remainder of the proposed FHS project. Mr. Boney said LS3P will be conducting several meetings with FHS staff, the athletic department and the liaison committee the first week of June and indicated that a cost estimate will be brought back to the board in mid-July. He shared that the current cost estimate is \$100,239,509 which is changing frequently as the designs, cost of materials and specifics are finalized. Emily Kite with LS3P shared two possible schedules: 1) Construction of the stadium starting in November 2023 following completion of the football season and construction of FHS beginning in the spring of 2024. Approvals for grading and final drawings still have to be procured, but this option allows the use of one contractor and proposes one project instead of two separate projects. LS3P would need authorization by mid-July to keep moving concurrently. If authorization is received later than mid-July, then there is a possibility that LS3P will not be able to coordinate with the school calendars to open the new school in the fall of 2026 when school



would officially start. Ms. Kite reminded board members that the stadium has already been funded through the bidding phase, but FHS has not and this option would require funding the contract for the proposed FHS project to catch up so the projects can be done jointly. 2) Two projects working separately with some overlap in separate contracts. In this option, the stadium will move somewhat ahead of the FHS project. Mr. Boney recommended the board authorize the FHS project for the construction documents and bidding phases and approve option 1. Mitch Bugillio with Davenport and Associates provided a handout to board members as a guide for his review of the county credit rating, debt ratios, general fund performance, tax supported debt, debt to assessed value, debt service vs. expenditures, and debt affordability. Mr. Bugillio also reviewed the Capital Improvement Plan (CIP) summary focusing on fiscal year 2024 through fiscal year 2028 including the FHS project and provided case summaries regarding funding options for the project. Macon County Schools Superintendent Dr. Chris Baldwin shared a PowerPoint presentation on how funding resources are received and budgeted by the school board as well as identifying the current needs for the school system. He indicated that their total current budget is \$48,929,569.81 with \$38 million coming from the state and \$10 million coming from the county. He said the state estimated that 4,471 students were to be served this current school year at a rate of \$11,000 being spent per child per year for 180 school days, which equates to \$60 per child per day (\$12 per day comes from county). Dr. Baldwin walked board members through how students are served in a typical school day. He provided board members with a handout regarding the Department of Public Safety which indicates that \$130 per day per inmate is being spent by the state on those who are incarcerated in state facilities. Dr. Baldwin said the Macon County Detention Center estimates their cost at \$70 per day per inmate. He shared how the state allotment of funds is calculated for Macon County to determine the student-to-teacher ratios. Macon County Schools Finance Officer Angie Cook reviewed projections for next year and how employees are paid. She explained that they pay as many employees as possible out of state funding, then federal funding and then county funding. Ms. Cook said every employee paid from local funds is either because the school system does not have enough in other funding sources to pay them, or there is not another state or federal fund to pay them from. She said the fiscal year 2024 local budget has increased 4.5 percent based on a proposed salary increase which will increase the cost of benefits as well. Dr. Baldwin shared that the ESSER COVID relief funding for 18 positions will end in 2024 with several of those being mental health positions. Assistant Superintendent Josh Lynch provided a handout and spoke about budget needs including overtime pay for custodians and teacher assistants in order for them to drive buses due to the shortage in drivers. He also said that in order to maintain the current level of services the school system will need \$1.5 million which includes additional personnel including a first grade teacher, teacher assistant, two teacher assistant II's (29 ½ hours per week),



and extra-curricular coaching supplements. Mr. Lynch said these needs will utilize the majority of their fund balance and that loss cannot be maintained ongoing without additional funding from either state, federal or county resources. Chairman Higdon asked for an update on some of the currently identified needs including the Nantahala sewer, Macon Middle School vent pipes, and the Iotla School geothermal well issue, sewer line at East Franklin School, and any anticipated emergency funding costs. An update on each item was provided by Dr. Baldwin including indication of no known emergency funding requests at present. Chairman Higdon inquired about the cost of sending a child to the pre-K program based on citizenship and whether birth certificates, shot records, etc., were required and if all students are held to the same standard. Mr. Lynch said everyone is held to the same standard unless they are considered homeless and that currently there are no students who are considered homeless in the pre-K program. Commissioner Young asked if it would be an option for Highlands to operate as 100 percent private pay, with no cost to the taxpayer. Mr. Lynch said the school system would probably have to increase the tuition to \$696 per month to make that doable. Commissioner Shearl asked if the Board of Education had put \$160,000 for LS3P in their budget for next year for the pre-K project and if they were going to fund the project. Dr. Baldwin said if the county gives them the money then the school system will fund the project. Commissioner Young asked about the Macon Middle School track project. Dr. Baldwin said the total cost was \$550,000 and the school system has released Requests for Proposals (RFPs) for two options – resurfacing and poly-urethane for a six-lane track – with the deadline for proposals expiring in mid-June. Commissioner Young asked about the requested increase in Career Technology Education (CTE) funding and Mr. Lynch explained the funding would provide coverage for planning periods so completers in the public safety (911 Dispatcher) and the core construction certification could be added. Commissioner Shearl asked about the Highlands School expansion. He referenced an article in the May 10, 2023 edition of *The Franklin Press* about pausing the East Franklin School expansion which stated ESSER funds had been allocated for that project. Dr. Baldwin explained that ESSER funding has to be tied to issues related to the pandemic and the challenge in using ESSER funding for Highlands is that Highlands was able to maintain the six-foot distance requirement and not have issues. Additionally, Dr. Baldwin reminded board members that the ESSER funds have to be encumbered by September 2024 and spent by December 2024. Commissioner Shearl asked about the Highlands soccer field and said if the field is used for soccer only, he recommends natural turf due to an increase in injuries on artificial turf for soccer. Commissioner Young provided board members with a handout of a Memorandum of Agreement published in Franklin Press recently and read the last paragraph. He requested board members review the document and consider approval of the agreement at a later meeting. [Attachment 1]



**Consideration of Change Order for Macon Middle School** – Jack Morgan reviewed plans for the new locker room indicating that a sewer line is in the area and has stopped construction until the board makes a decision on how to proceed. He said either the sewer line or the building needs to be relocated and provided cost estimates for both options. Mr. Morgan said he recommended moving the building. Commissioner Shields made a motion, seconded by Commissioner Young, to approve the change order in the amount of \$5,250.25 as requested. The vote was unanimous. [Attachment 2]

**Sheriff's Department** – Sheriff Brent Holbrooks provided a handout of his proposed organizational chart which will allow him to better monitor his budget expenditures in the upcoming fiscal year. Captain Jonathan Phillips said the proposed budget is three-percent higher than the revised fiscal year 2023 budget. Mr. Roland stated the entire amount of the increase is the proposed cost of living adjustment (COLA) and the Step increase. Sheriff Holbrooks shared that two positions had been added without raising the overall budget and estimated that by early Fall 2023 they will be fully staffed. He said that by adding these two positions the overtime will decrease and they will have six officers per shift. Sheriff Holbrooks indicated they had a \$34,000 department-wide reduction in overtime from the previous fiscal year. Commissioner Shearl inquired about the recent implementation of the scanning machines in the courthouse and said he thought we could build a nice metal building cheaper than we are paying for courthouse security to house court. Commissioner Shearl asked about camping on the greenway and said placing people in jail is not the answer. Commissioner Shearl asked about an X-ray machine for the jail. Sheriff Holbrooks said there had been five recent overdoses in the jail and with a full-body scan machine they could see anything in their body and may have caught the substances before they reached the general population. He said the estimated cost of a full-body scanner is \$100,000.

**Fire** – Town of Franklin Manager Aimee Owens said she was here at the recommendation of the Franklin Town Council to request reconsideration of the proposed fire tax rate for Franklin Fire and Rescue and put it back at the seven-percent they requested last year. She said she understood the goal was to be revenue neutral, but that Franklin Fire and Rescue is in need of two fire apparatus due to outdated equipment (27 and 31 years old, respectively), and the increase would allow them to have enough debt service money to purchase new units. Franklin Fire Chief Ben Ormond spoke about the need for this increase due to the age of their fire trucks and the need to replace them.

**Emergency Management** – Emergency Services Director Warren Cabe utilized a PowerPoint presentation to provide an overview of the structure, infrastructure expenditures for the current fiscal year, call comparison for

fiscal year 2022 and fiscal year 2023, billing – majority of patients are Medicare -- notable expenses for fiscal year 2024, projected revenue for fiscal year 2024, rates, etc. Mr. Cabe talked about service fees for fire districts and options for change. He said the contract prevents us from withholding funds, but changes in the new contract allow for withholding funds for group purchasing.

**ADJOURN:** After some discussion regarding public comment and whether to have public comment at another work session, plus agenda items for the next work session, and maintenance and building upkeep, Commissioner Shearl requested a work session on June 8, 2023 at 5:00 p.m. to discuss solid waste, health, DSS, and parks and recreation. Chairman Higdon stated a Special Meeting will be held to discuss these items and the Memorandum of Agreement discussed earlier will be added to the June 13 agenda. At 8:30 p.m., upon a motion from Commissioner Shields, seconded by Commissioner Young, the board voted unanimously to adjourn.



Derek Roland  
Ex Officio Clerk to the Board



Paul Higdon  
Board Chair



STATE OF NORTH CAROLINA

MEMORANDUM OF UNDERSTANDING

COUNTY OF MACON

**THIS MEMORANDUM OF UNDERSTANDING**, (the "MOU") is made and entered as of this 22 day of May, 2023, by and between the County of Macon, North Carolina, a body politic and corporate of the State of North Carolina (the "County") and the Macon County Board of Education a body corporate and the legal entity for the Macon County Schools, (the "Board", and collectively the "Parties").

**WITNESSETH**

**WHEREAS**, the Parties have cooperated over a period of years to examine the capital and building needs of the Parties' public schools;

**WHEREAS**, this cooperation has included, among other things, the Board's May 2021 resolution requesting that the County engage an architectural firm to examine the feasibility of constructing of a new Franklin High School building (the "Project") upon the existing FHS property, and the County's subsequent selection of architecture firm LS3P as the Parties' architect of record for such purposes;

**WHEREAS**, the Parties recognize the need for the Project to, among other things, provide a safer replacement for the current aging, multi-building FHS campus;

**WHEREAS**, the Parties have cooperated and engaged with LS3P to study the Project, through the production and preliminary approval of Schematic Design documents produced by LS3P;

**WHEREAS**, the Parties have invested local funds and resources heavily into the Project's design, including committing over \$1 million dollars to LS3P's services through the Schematic Design (\$476,161) and Design Development (\$714,242) phases of designing the Project;

**WHEREAS**, the Board has previously offered conveyance of the FHS property to the County for purposes of financing and constructing the Project;


**WHEREAS**, the Parties anticipate that the Project will cost well in excess of grant funds available, having obtained estimates of more than \$100 million; and

**WHEREAS**, the Parties have jointly applied to the North Carolina General Assembly for funding through the General Assembly, which proposes to include in the upcoming biennial budget as much as \$60 million in grant funding for construction of a high school through the Education Lottery Needs-Based Public School Capital Fund.

**NOW, THEREFORE**, the Parties enter into this MOU for purposes of 1) reaffirming their commitment to the Project, 2) expressing their intent to use funds received from the Needs-Based Public School Capital Fund to the Project's construction, 3) assuring the Parties' elected representatives in the North Carolina General Assembly of the Parties' intent expressed herein, and 4) expressing to the public the Parties' ongoing partnership to continual growth and improvement of the Macon County Schools.


**IN WITNESS WHEREOF**, the Parties hereto have executed this Memorandum of Understanding on the day and year first written above.

**MACON COUNTY BOARD OF  
EDUCATION**

  
\_\_\_\_\_  
Jim Breedlove, Board Chair

Date: 5/22/2023

**MACON COUNTY BOARD OF  
COMMISSIONERS**

  
\_\_\_\_\_  
Paul Higdon, Board Chair

Date: 5.13.23





PCO #002

Carolina Specialties Construction LLC  
 624 7th Avenue East  
 Hendersonville, North Carolina 28792  
 Phone: (828) 697-7184

Project: 1897-23 - 1897-23 Macon Middle School Athletic Building  
 1345 Wells Grove Road  
 Franklin, North Carolina 28734

**Prime Contract Potential Change Order #002: CE #003 - Extending the Footing**

<b>TO:</b>	Novus Architects Inc 14 South Pack Square Asheville, 28803	<b>FROM:</b>	Carolina Specialties Construction LLC 624 7th Avenue East Hendersonville, North Carolina 28792
<b>PCO NUMBER/REVISION:</b>	002 / 0	<b>CONTRACT:</b>	1 - Construction Contract Administration
<b>REQUEST RECEIVED FROM:</b>	Doug Parker (Parker Excavating Inc)	<b>CREATED BY:</b>	Kumar Madala (Carolina Specialties Construction LLC)
<b>STATUS:</b>	Pending - In Review	<b>CREATED DATE:</b>	5/16/2023
<b>REFERENCE:</b>		<b>PRIME CONTRACT CHANGE ORDER:</b>	None
<b>FIELD CHANGE:</b>	No	<b>ACCOUNTING METHOD:</b>	Amount Based
<b>LOCATION:</b>		<b>PAID IN FULL:</b>	No
<b>SCHEDULE IMPACT:</b>	5 days	<b>SIGNED CHANGE ORDER RECEIVED DATE:</b>	
<b>EXECUTED:</b>	No	<b>TOTAL AMOUNT:</b>	\$5,250.25

POTENTIAL CHANGE ORDER TITLE: CE #003 - Extending the Footing

CHANGE REASON: Existing Condition

POTENTIAL CHANGE ORDER DESCRIPTION: *(The Contract Is Changed As Follows)*

**CE #003 - Extending the Footing pad on South side of the Building**

Per our phone conversation this afternoon, we prefer to have 2' 6" from face of the existing PVC pipe, then we don't expect to have any conflict with the footings. Please see the attachment.

From the original plans the distance between existing building to the new building is 15' 7" however if we move the footing pad to 2' the total new distance between existing building to new building is 18' 1"?

we need to extended the grade for another 2' 6" on the south side for the new building, where there will be minimum cost impact comparing with relocating the existing PVC pipe? Please advise?

**ATTACHMENTS:**

[PROPOSAL- Macon Middle Athletic Bldg. Bldg site relocate CO Request.docx](#)

#	Budget Code	Description	Amount	Management Fee (5.00% Applies to all line item types.)	Subtotal
1	02-220.O Site Grading	Extending the Footing pad on South side of the Building	\$1,240.00	\$62.00	\$1,302.00
2	13.O Pre-Engineered Walkway Canopy	Canopies	\$500.00	\$25.00	\$525.00
3	01-000 L.O General Requirements - Labor.Other	Schedule Impact	\$2,802.00	\$140.10	\$2,942.10
4	03-413.O Sidewalk	Concrete	\$458.24	\$22.91	\$481.15
<b>Subtotal:</b>			<b>\$5,000.24</b>	<b>\$250.01</b>	<b>\$5,250.25</b>
<b>Grand Total:</b>					<b>\$5,250.25</b>





PCO #002

Jes Stafford (Novus Architects Inc)

Novus Architects Inc  
14 South Pack Square  
Asheville, 28803

James Edgar Stafford

Digitally signed by James Edgar Stafford  
DN: cn=James Edgar Stafford, o=Novus Architects, ou=Novus Architects, email=jed@novusarch.com, c=US  
Reason: I have approved this document  
Created by: 512 048899  
Date: 2023.05.25 10:22:00 EDT

SIGNATURE 05/25/2023 DATE

*DEAN KOLAND*  
Jack Morgan (Macon County)  
1345 Wells Grove Road,  
Franklin, North Carolina, 28734

*[Signature]* 5.30.23  
SIGNATURE DATE

Carolina Specialties Construction LLC  
624 7th Avenue East  
Hendersonville, North Carolina 28792

*Richard Yeary* 6/28/23  
SIGNATURE DATE



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Novus Architects Inc  
14 South Pack Square  
Asheville, 28803

James Edgar Stafford

Digitally signed by James Edgar Stafford  
DN: cn=James Edgar Stafford, o=Novus Architects Inc,  
ou=Novus Architects Inc, email=jed@novusarch.com,  
c=US

SIGNATURE 05/25/2023 DATE

DEAD FOLLOWS  
Jack Morgan (Macon County)

1345 Wells Grove Road,  
Franklin, North Carolina, 28734

5.30.23

SIGNATURE DATE

Carolina Specialties Construction LLC

624 7th Avenue East  
Hendersonville, North Carolina 28792

SIGNATURE DATE