

MACON COUNTY BOARD OF COMMISSIONERS
MARCH 8, 2016
MINUTES

Chairman Corbin called the meeting to order at 6:03 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: There were no announcements. Those in attendance watched a video from the North Carolina Association of County Commissioners (NCACC) that provided an update on recent NCACC activities.

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.

RECOGNITION OF LIEUTENANT TRAMMEL: Chairman Corbin recognized Lieutenant Mike Trammel with the Macon County Sheriff's Department. Lt. Trammel, who heads the department's Courthouse Security division, has provided a law enforcement presence at the board's meetings for many years, and is retiring at the end of March. Chairman Corbin thanked Lt. Trammel for his service. Lt. Trammel noted that Sergeant Adam Wishon will be replacing him.

PUBLIC COMMENT: **Dale McGiboney** spoke in regard to the "Tour Macon County NC" project, which is a video kiosk project that is a collaboration between Highland Mediaworks and the Macon County Economic Development Commission. The initial video kiosk will be located at the Macon County Airport, and features several local business owners marketing various aspects of the county. The video is also available online. Mr. McGiboney told the board that the initial phase of the project was being extended. **Matt Bateman** spoke in regard to Franklin's designation as the "2015 Top Small Town" as chosen by

Blue Ridge Outdoors Magazine, noting that up to 50 business owners have had their photo taken with the banner displaying the award.

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

- To add a new item, consideration of a proclamation for “Top Town Day” in Macon County, as Item 9B under Reports/Presentations, per Chairman Corbin.
- To add a presentation by Neil Riendeau regarding the Veterans Memorial Park as the new Item 9A under Reports/Presentations, per Commissioner Beale.
- To add discussion of a possible public information officer position as Item 11D under New Business, per Commissioner Tate.
- To add an update on the flood damage assessment by the County Manager as Item 10A under Old Business.
- To add continued discussion regarding an allocation to Friends of Founders Park as Item 10B under Old Business, per the County Manager.
- To add consideration of safety structures and fencing to Item 11B, “Consideration of bids for shade structures at Parker Meadows Recreational Complex,” per the County Manager.
- To add consideration of the “Parker Meadows Recreation Park Mobile Food Unit Services Agreement” as Item 11E under New Business, per the County Manager.
- To hold a brief closed session in order to preserve the attorney-client privilege, per the County Attorney.

VETERANS MEMORIAL PARK: Neil Riendeau, speaking on behalf of the Veterans Memorial Park, told the board members that when events are held at the park, the biggest complaint is that people cannot hear what is being said. To solve the problem, he said that an amp and four speakers have been purchased at cost from a vendor, and that the system has been set up and tested. The total cost was \$2,800 and Mr. Riendeau asked if the board would be willing to pay half. As the liaison to the group, Commissioner Beale said he was “proud of the partnership” and made a motion to allocate \$1,400 from contingency to pay for half of the sound system. Commissioner Shields seconded the motion. Commissioner Tate asked where the sound system would be stored, and Mr. Riendeau said it would be housed at the American Legion facility in Franklin. The motion passed unanimously.

COOPERATIVE EXTENSION PROGRAM IMPACT REPORT: County Extension Director Alan Durden presented the board with copies of the 2015

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Macon County Cooperative Extension Program Impact Report, a copy of which is on file in the Deputy Clerk's office. Mr. Durden thanked the board members for their support of the extension program, and told them he wanted to share "a few of the real life things we do," which included the following: a 4-H market steer program, shooting sports such as archery and air rifles, a quiz bowl team centered around knowledge of horses, the addition of a new agricultural agent, a new pasture-based grazing program called Amazing Grazing, soil testing services, pesticide licensing opportunities and the support of many groups and organizations. He also cited "a success story" where one man started out managing three spaces in the extension service's community garden, then rented land to grow vegetables, then purchased his own land and has since expanded and came back to extension to apply for a grant opportunity. "And it all began with a spot at the community garden," Mr. Durden said.

"TOP TOWN DAY" PROCLAMATION: Chairman Corbin said that the idea of a proclamation for "Top Town Day" came out of a conversation with the county's economic development director, Tommy Jenkins. The chairman then recognized Ken Murphy, a member of the county's Economic Development Commission, who reviewed the highlights of the proclamation and noted Franklin's proximity to a number of outdoor recreation attractions. Mr. Murphy noted that in doing the proclamation, the board recognizes the economic impact of outdoor recreation within the county, and wishes to recognize the Town of Franklin "as the 2015 Top Small Outdoor Town and encourages citizens, local businesses and organizations to join the county in promoting the award by designating April 23, 2016 as Top Town Day in Macon County." Mr. Murphy also shared a 30-second video publicizing the county as an outdoor destination and requested adoption of the proclamation. Upon a motion by Commissioner Shields, seconded by Commissioner Beale, the board voted unanimously to approve the Proclamation for "Top Town Day" in Macon County as presented. A copy of the proclamation is attached **(Attachment 1)** and is hereby made a part of these minutes. The board members then joined the growing ranks of those who had their photograph taken with the 2015 Top Small Outdoor Town banner.

UPDATE ON FLOOD DAMAGE ASSESSMENT: The County Manager reminded the board of recent action stemming from losses sustained during flooding in the county just prior to Christmas last year. He then recognized Parks and Recreation Director Seth Adams, who told the board that while the county had agreed to pay up to \$41,000 to replace helmets and should pads for Macon County Youth Football, that total was now approximately \$27,400. In addition, Macon County Youth Soccer had purchased all of its needed items at a cost of \$3,614.58. The County Manager informed the board that in doing some research on the county's insurance policy, it appears that if the county is storing property for safekeeping for another organization, then that property is

covered by the policy. He added that he has made a call to the North Carolina Association of County Commissioners (NCACC) risk pool to verify that information. There was also discussion regarding replacement of the burn panels at the Southwestern Community College (SCC) “burn building,” and that the estimate for replacements there had not changed. No action was necessary.

FOUNDERS PARK: The County Manager explained that he had asked the County Attorney to review the agreement between Macon County and Friends of Founders Park in Highlands. The board had previously agreed to allocate \$50,000 toward the project, but the County Attorney learned that the park was owned by the Town of Highlands and that it might be best to give the money to the town instead of the group and let the town decide how best to use the funds. However, he noted that the county does not have to do so and can forward the money to the Friends of Founders Park. Following discussion, Commissioner Beale made a motion to change the board’s previous action, to route the funding through the Town of Highlands, and to make sure that the county sees the relevant invoices associated with the project. Commissioner Tate again abstained from the discussion and the vote, as his business is involved in the project. Commissioner Shields seconded the motion, and it passed 4-0 with the understanding that the County Attorney would draw up the agreement.

AUDIT CONTRACT: The Finance Director presented a contract to audit accounts between the county and Martin Starnes & Associates, CPAs of Hickory, NC. She reviewed the numbers in the contract, which calls for an audit fee of \$50,950 plus \$14,200 for the preparation of the annual financial statements. She noted that the firm must rotate the “manager in charge” of the audit each year, and asked the board to approve the contract, noting the county’s “good relationship” with Martin Starnes. Commissioner Tate asked if it was worth investigating other firms to do the work, or if there was any bartering over the amount. The Finance Director said she had tried bartering with no success, and that a request for proposals could be issued next year. It was noted that the towns of Franklin and Highlands both use Martin Starnes as well. Following further discussion, and upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted unanimously to approve the “Contract to Audit Accounts” as presented, a copy of which is attached **(Attachment 2)** and is hereby made a part of these minutes.

SHADE STRUCTURES AT PARKER MEADOWS RECREATIONAL COMPLEX: The board was asked to consider bids for shade structures at the Parker Meadows Recreational Complex. In addition, the structures also supply protection for patrons from being struck by foul balls. Seth Adams explained that the county received four bids, with the lowest coming from Shade America

from Tampa, FL. The total bid from Shade America was \$76,880, with an offer of a two percent discount on materials if the county was willing to make a 50 percent deposit and final payment 14 days after completion. Mr. Adams said it will take the company two weeks to make the structures, and then two crews will need five days to install them. He requested that the board consider awarding the bid to Shade America. The conversation then turned to fencing at the complex. Mr. Adams explained that the necessary work could be done for about \$8,000. Commissioner Higdon asked questions about the availability of restrooms near the playground area, and Commissioner Shields had questions about the number of bleachers for each ballfield. Following discussion, and upon a motion by Commissioner Tate, seconded by Commissioner Beale, the board voted unanimously to award the bid for the shade structures to Shade America in the amount of \$76,880 as presented, and to authorize the County Manager to enter into the contract with the company. The motion also included approval of \$8,000 for the fence, with the material to be purchased from Lowe's and with the fence to be installed by county Maintenance Department personnel. A copy of the bid tabulation for the shade structures is attached (Attachment 3) and is hereby made a part of these minutes.

BOND ORDER AUTHORIZING ISSUANCE OF SPECIAL OBLIGATION BONDS FOR LANDFILL EXPANSION: The Finance Director presented a "Bond Order Authorizing the Issuance of up to \$9,800,000 Special Obligation Bonds for the County's Landfill Expansion Project" for the board's consideration. She explained that the document had been prepared by Sanford and Holshouser and was required in order for the county to move forward with the project. Commissioner Tate made a motion to approve the bond order as presented, and Commissioner Shields seconded the motion. Commissioner Higdon questioned why revenue from inspection fees and fees from the Register of Deeds office was being pledged along with revenue from the landfill's enterprise system. The Finance Director explained that those issuing the debt "want 110 percent coverage" and that it is common practice to pledge these resources. Following further discussion, the board voted unanimously to approve the bond order as presented, a copy of which is attached (Attachment 4) and is hereby made a part of these minutes.

RESOLUTION ISSUING COUNTY SPECIAL OBLIGATION BONDS: The Finance Director presented information regarding a "Resolution for Issuing County Special Obligation Bonds for the County's Landfill Expansion Project in the Maximum Amount of \$8,800,000." She told the board that the county had received four proposals, and provided the board with a document containing a summary and analysis of the proposals from Entegra, Pinnacle, BB&T and Capital One, noting that the recommendation was for "the Entegra Bank Option 1/fixed total payment because it charges the lowest combination of fee, interest charges and payments." She also reviewed a draft of a bond purchase

agreement, prepared by Sanford and Holshouer, between the county, Entegra Bank and the North Carolina Local Government Commission (LGC). In reviewing the terms, she said the county would pay 2.14 percent interest over the 10-year life of the agreement, and asked the board for authority for her and the County Attorney to tweak the agreement if necessary. Chairman Corbin noted that Commissioner Beale sits on the board of directors for Entegra Bank, and that he would abstain from the discussion and the vote. Upon a motion by Commissioner Tate, seconded by Commissioner Shields, the board voted 4-0 (with Commissioner Beale abstaining) to approve the resolution as presented, a copy of which is attached (Attachment 5) and is hereby made a part of these minutes. The Finance Director pointed out that approval of the bond purchase agreement is on the LGC's April agenda.

AWARD OF BID FOR LANDFILL CONSTRUCTION: Solid Waste Director Chris Stahl informed the board that the county received nine bids for the construction of the new landfill cell. Under the county's pre-qualification process, three did not qualify. Six contractors came to the "pre-bid" conference, and three of those backed out. Of the remaining three and following the opening of bids, Mr. Stahl said that he concurred with the recommendation of the county's consulting engineering firm, McGill Associates, and was requesting that the board award the contract for construction of the new landfill cell to Shamrock Environmental Corporation in the amount of \$6,710,362, pending LGC approval of the debt funding. Questioned about the contractor's working hours for the project, Mr. Stahl said those would be from daylight until dark Monday through Saturday, with no work to be performed on Sundays or holidays. Commissioner Tate made a motion to award the bid as recommended and to authorize the County Manager to sign the contract (pending LGC approval), and Commissioner Shields seconded the motion, and it passed unanimously. A copy of the "Recommendation of Award" letter from McGill Associates is attached (Attachment 6) and is hereby made a part of these minutes.

Chairman Corbin declared a recess at 7:32 p.m.

Chairman Corbin called the meeting back to order at 7:49 p.m.

PUBLIC INFORMATION OFFICER: Commissioner Tate raised the issue of adding a public information office to the county's staff, noting that in today's world "communication is virtually everything." He requested that the County Manager investigate the idea of having someone who could manage social media accounts on the county's behalf and to disseminate information on items ranging from weather to board meetings. Commissioner Beale agreed, noting that this was "a conversation we've had before." The Deputy Clerk/HR Director said that he could obtain job descriptions and salary ranges from other

counties that have the position for the board to review. The County Manager noted that this person could serve a dual role by also providing information to county department heads, perhaps through a county newsletter. The consensus of the board was to have the County Manager consider the new position as part of the budget process. No formal vote was taken.

MOBILE FOOD UNIT SERVICES AGREEMENT AT PARKER MEADOWS RECREATIONAL COMPLEX: The County Attorney provided the board members with copies of a document entitled “Parker Meadows Recreation Park Mobile Food Unit Services Agreement.” Mr. Adams explained that the county initially considered hiring part-time employees to staff the concession stands at the recreational complex, but quickly realized that approach would not be profitable. After meeting with the county health department officials, the decision was made to go with a mobile food unit or “food truck,” allowing the concessions to be an extension of that service. The county put this out for bids with the knowledge it would need a minimum of \$3,400 monthly. Bids for the service were opened on March 4th, with a winning bid of \$3,700 coming from Cindy Christie doing business as Big League Chew. Mr. Adams noted that there will be four months where the winning bidder would receive no income as well as other months with a reduced amount. This was followed by discussions ranging from grease disposal to insurance coverage, with Commissioner Tate asking that the county be named as an additional insured on the bidder’s policy. Upon a motion by Commissioner Tate, seconded by Commissioner Beale, the board voted unanimously to approve the agreement as amended with the language of being named as an additional insured party. A copy of the agreement is attached **(Attachment 7)** and is hereby made a part of these minutes.

CONSENT AGENDA: Upon a motion by Commissioner Higdon, seconded by Commissioner Tate, the following items on the consent agenda were approved unanimously: **Minutes** – Approved the minutes from the February 9, 2016 regular meeting. **Budget amendments** – Approved the following budget amendments: **#126** for Transit to allocate \$2,239 in insurance settlements for vehicle repairs and maintenance; **#127** for Transit to allocate \$573 in insurance settlements for vehicle repairs and maintenance; **#128** for Solid Waste to allocate \$1,927 in an insurance settlement stemming from the breaking and entering at the Highlands Transfer Station; **#129** for Emergency Management to transfer \$2,072 in insurance settlements to cover the repair of a vehicle; **#130** for Housing to appropriate \$21,936 in funding from a Duke Weatherization grant; **#131** for Social Services to allocate additional revenues totaling \$3,240; and **#132** for Emergency Management to appropriate the \$6,000 in annual tower space rent on Cowee Bald from radio station WFSC/WNCC in order to pay the US Forest Service for special use of the Cowee Bald tower and for regular upkeep of communications: (Revisions with

corresponding numbers attached). **Tax releases** – Approved tax releases in the amount of \$189.32. (A computer printout of the releases is on file in the Tax Department and the Deputy Clerk’s office.

APPOINTMENTS: **(1) Board of Equalization and Review:** Upon the recommendation of Tax Administrator Richard Lightner, and upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to reappoint Dwight Vinson, Bill Martin, Gary Drake, Kevin Spivey and Kristine Flaig to the Board of Equalization and Review for terms of one year each. **(2) Library Board:** Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to appoint Kathy Tinsley and John Gaston and to reappoint Charles Gorgoglione to terms of three years each on the Macon County Public Library Board of Trustees.

CLOSED SESSION: The County Attorney requested a brief closed session for the purpose of preserving the attorney-client privilege as allowed under NCGS 143-318.11(a)(3), and at 8:13 p.m., upon a motion by Commissioner Tate, seconded by Commissioner Higdon, the board voted unanimously to go into closed session. At 8:26 p.m., upon a motion by Commissioner Higdon, seconded by Commissioner Tate, the board voted unanimously to come out of closed session and return to open session. No action was taken.

ADJOURN: With no other business, and at 8:27 p.m. upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to adjourn.

Derek Roland
Ex Officio Clerk to the Board

Kevin Corbin
Board Chairman