

MACON COUNTY BOARD OF COMMISSIONERS
AUGUST 24, 2009
MINUTES

CALL TO ORDER: Chairman Beale convened the meeting at 2 p.m. and welcomed everyone present. All Board Members except Commissioner McClellan who arrived late, the County Manager, Deputy Clerk, Finance Director, County Attorney, members of the news media and interested citizens were present.

ANNOUNCEMENTS: Chairman Beale announced the next meeting would be on September 14th at 6 p.m. and the next on September 28th at 2 p.m.

INVOCATION: Commissioner Simpson gave the invocation.

PLEDGE OF ALLEGIANCE: The pledge to the flag was recited.

PUBLIC HEARINGS - None

PUBLIC COMMENT PERIOD: Milan Beran stated he was a resident on Bailey Road and the private portion of the road owned by Bryson and Williams is in an intolerable condition. Mr. Beran requested the Board to view the condition of the road (approximately 350 yards), to consider condemnation and to proceed with the condemnation process. He stated he had written to Phil Haire who advised the State would not get involved. Chairman Beale instructed Mr. Beram to provide his information to the County Attorney.

(NOTE: Commissioner McClellan arrived at this point.)

ADJUSTMENTS TO AND APPROVAL OF THE AGENDA: Commissioner Davis requested discussion on the protocol or a method for communication with state elected representatives be added to the work session as item #14D. The County Manager requested resolutions for the Little Tennessee River/Cartoogechaye Creek Sewer Project be added as item #9C under old business and the resolution in item #11B(1) be moved to that item also. Commissioner Simpson made a motion to approve the agenda with the requested changes. The motion was seconded by Commissioner McClellan and all favored.

REPORTS/PRESENTATIONS: Claudette Dillard, Lynn Rold, Mike Breedlove, Simon Hyatt and Alan Durden gave an update on the community garden project. The group stated there is a parcel of county-owned property on Siler Road that is suitable for the garden project, that they have volunteers to plow, till, prepare a water supply, etc. They added the plans are to begin by holding educational meetings, gardening classes, pest and disease control management, but need start up money for fencing, materials, the water supply, round-up, etc. and requested funding in the amount of \$5,000. Upon

motion by Commissioner McClellan, seconded by Commissioner Simpson, the Board unanimously voted to fund the project up to \$5,000 from Contingency.

EMERGENCY MANAGEMENT/SCC SURPLUS VEHICLE: After discussion, upon motion by Commissioner Davis, seconded by Commissioner Kupperts, the Board unanimously voted to declare a 1996 Chevrolet Tahoe with over 100,000 miles assigned to Emergency Management as surplus and donate it to SCC Public Safety Training Complex for use by the Fire Education Coordinator to move a trailer between fire departments transporting education supplies.

SOLID WASTE/SCALE BIDS: Solid Waste Director Chris Stahl reported he had reviewed the bids for the scales at the landfill with the engineers and vendors. Based on these reviews he recommended all bids be rejected and the project be rebid sometime around November. Mr. Stahl explained both vendors would most likely contest the current bids but his main concern is the timing explaining the weather would be too cold for pouring concrete and/or asphalt by the time the project reached that point. Upon motion by Commissioner Kupperts, seconded by Commissioner Simpson, the Board unanimously voted to reject all bids and rebid the project at a later date.

SOLID WASTE/SURPLUS EQUIPMENT: Caterpillar 916 Compactor - Solid Waste Director Christ Stahl reported the Solid Waste Department owns a Caterpillar 916 Compactor that has been held as a backup machine during repairs/servicing of the TEREX compactor. Mr. Stahl explained the compactor is in need of extensive repair that would greatly over run the value of the machine and he has received an informal purchase request from a private company for the compactor. He recommended, and the County Manager concurred, that the 916 Cat compactor be declared surplus and bids be accepted for the sale of the machine. Upon motion by Commissioner Simpson, seconded by Commissioner Kupperts, the Board unanimously voted to declare the compactor as surplus and authorize sale by negotiated bid as recommended. **Wildcat Windrow Turner** – Mr. Stahl also reported the County has a windrow turner which was purchased in 1999 under a grant from NC-DENR for the composting program. He explained the County was forced to shut down our composting operations in 2003 due to the dissolution of the tomato Co-op and the machine has been idle since that time. He added since the machine was purchased under a State grant, the County would have to reimburse the State at least 90% of any funds received for the turner if sold; however, NC-DPPEA has requested that the County donate the windrow turner to the North Carolina Zoo to assist them with their composting of animal wastes and this would clear the County from any further liabilities of the windrow turner. Upon motion by Commissioner Davis, seconded by Commissioner Simpson, the Board unanimously voted to donate the windrow turner to the State of North Carolina Zoo.

SOLID WASTE/LANDFILL UPDATE: Solid Waste Director Chris Stahl advised the Board that he had previously presented an assessment of corrective measures at the landfill and wanted to notify the Board that he has not responded to the State because it may be in the best interest of the county to amend the plan and cap cell one rather than

vent it. No action was necessary at this time and he stated he would keep the Board updated on the process.

LITTLE TENNESSEE/CARTOOGECHAYE CREEK SEWER PROJECT: It was reported the original financing resolution on the Little Tennessee/Cartoogechaye Creek Sewer Project and the offer from the Clean Water Trust was \$1.5 million but when the bids were received on the project they were higher than the revenue sources making it necessary to adopt another resolution increasing the loan to \$2,043,250. Upon motion by Commissioner Koppers, seconded by Commissioner Davis, the Board unanimously voted to approve the attached resolution increasing the amount as explained. (Attachment #1) The County Manger explained a "Resolution of Tentative Award" for the project also needed to be considered explaining Gary's Grading's extended bid is only good until September 11th and the project engineers have recommended passing the resolution. Upon motion by Commissioner Simpson, seconded by Commissioner McClellan, the Board unanimously voted to adopt the resolution per attachment #2.

CONSENT AGENDA: Upon motion by Commissioner McClellan, seconded by Commissioner Simpson the Board unanimously voted to approve the following items on the consent agenda: **Minutes** – Approved the minutes of the August 10, 2009, meeting. **Budget revisions** – budget revision #17, allocating \$686 Duke Energy Assistance funds for DSS and budget revision #18, appropriating federal and state forfeiture funds from fund balance for the Sheriff's Department. (Copies of budget revisions attached with corresponding numbers.) **Tax settlement report** – Accepted the FY 08/09 tax settlement report from the Tax Collector per attachment #3. **Tax refund** – Approved a refund of \$19,137.85 to R.L. Jordan, Mountain High Motel, for overpayment of taxes for 2007 and 2008 based on result of 2007 tax hearing appeals that the County settled before hearings at the Property Tax Commission were heard. **Tax releases** – approved tax releases for July in the amount of \$23,783.00 and for August at \$1,053.27 as submitted. (A copy of releases is on file the Tax Office and Clerk to the Board's Office.)

APPOINTMENTS: Chairman Beale reviewed upcoming appointments that will be on a later agenda and a list was distributed. Chairman Beale requested the Board to think about a consistent process by which appointments may be made.

BUDGET/HEALTH INSURANCE SESSION: Finance Director Evelyn Southard gave a brief status report on FY 08/09 budget. She reported all sales tax for 08/09 is in and the total sales tax revenue is down 15% from the previous year but reminded the Board that this includes the Medicaid Swap adjustment to Sales Tax which was a reduction by the state of \$562,000. She added on the flip side the state picked up \$700,000 of Medicaid cost on behalf of Macon County. She explained there is not enough activity yet to report on FY 09/10; for instance no sales tax has been received for the 09/10 FY. Health insurance coverage was discussed briefly and demographic data about number of participants, types of coverage, etc. was presented. The general consensus was that a work session dedicated to insurance only was needed with presentations on different types of coverage, health savings accounts, etc. (**NOTE:** Commissioner Koppers was excused at this time.)

SOUTH MACON SCHOOL: The County Manager requested authorization to solicit bids on the paving at South Macon School as authorized at the August 10th meeting so paving can begin as soon as NCDOT receives notification from Raleigh. Upon motion by Commissioner Simpson, seconded by Commissioner McClellan, the County Manager was authorized to solicit bids on the project.

LEGISLATIVE PROCESS: Commissioner Davis expressed concerns that the local legislative delegation does not contact local boards of commissioners when legislation is proposed that will have an effect on counties and requested consideration of developing a consistent process for a liaison or coordinator to contact legislators with concerns. The feasibility of development of a mechanism and/or computer site that Region A could use to work with the Boards to compile such information was discussed. Commissioner Davis requested the Board work on this process.

ADJOURNMENT: Upon motion by Commissioner Davis, seconded by Commissioner Simpson, the meeting was adjourned.

Jack Horton, County Manager
Clerk to the Board

Ronnie Beale
Board Chairman