

MACON COUNTY BOARD OF COMMISSIONERS
APRIL 9, 2013
MINUTES

Chairman Corbin convened the meeting at 6:02 p.m. All Board Members, the County Manager, Deputy Clerk, Finance Director, County Attorney, members of the news media and interested citizens were present.

ANNOUNCEMENTS: The County Manager announced the addition of a new grandchild to the Horton family. Commissioner Beale reminded the board members of the North Carolina Association of County Commissioners (NCACC) regional meeting on April 10th. Commissioner Tate noted that the governor's proposed budget called for the addition of 16 new magistrates and voiced his support for that move.

MOMENT OF SILENCE: Commissioner Beale asked those in attendance to remember the life of Pastor Eddie Trull and the Trull family and to observe a moment of silence.

PLEDGE TO THE FLAG: Led by Commissioner Higdon, the pledge to the flag was recited.

PUBLIC COMMENT: **Christy Raby** asked about the status of a letter of support from the county regarding a proposed child daycare facility, adding that she was facing an April 19 deadline. She explained that she is seeking a rural economic development grant for the project, which the county would administer. Following a brief overview of some of the financial components, and upon a motion by Commissioner Higdon, seconded by Commissioner Haven, the board voted unanimously to endorse the project and to provide the letter of support. The County Manager and County Attorney asked a number of questions in order to clarify the county's role in this process. **Billy Vanhook**, who was accompanied by a group of Little League baseball players, told the board

that the need for the proposed new recreational complex is “worse than I ever dreamed,” and encouraged the board to purchase the property, calling that a “baby step” in the overall process. He also spoke to the economic impact of having such a facility.

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

- To add the April 4, 2013 minutes to the Consent Agenda under Item 11A, per the Deputy Clerk.
- To add Budget Amendments #150 through #151 to the Consent Agenda under Item 11B, per the Finance Director.
- To hold a closed session for the purpose of discussing the acquisition of property and to consult with the attorney, per Commissioner Beale and Commissioner Tate.

UPDATE ON NEW HOPE CEMETERY PROJECT: Andrew Baldwin provided the board with an update on his Eagle Scout project, the restoration of the New Hope Cemetery. He said that the project was approved by the Daniel Boone Council, that an official survey of the property was completed, and that groups from Western Carolina University and the Cowee Baptist Church Men had assisted with the cleanup. On March 9, he and members of his troop cleaned and repaired stones and markers and erected a bronze sign. He asked for the board’s help in establishing a cemetery board, as outlined in the state statutes. Following discussion and comments from the County Manager and County Attorney, the board agreed by consensus to consider this item further at its May meeting.

FINDINGS REGARDING ARCHAEOLOGICAL STUDY AT PROPOSED PARKER MEADOWS RECREATIONAL PARK – Paul Webb, program manager for archaeology and cultural resources for TRC Environmental Corporation, presented a PowerPoint presentation regarding an archaeological study of the Parker Meadows property. He explained that this work identified four sites, all of which have been determined to be significant in terms of their eligibility for the National Register of Historic Places. While three of the sites extend into the proposed development area, they will largely avoid the types of development that involve substantial ground disturbances. He noted these are primarily in areas where fill will be deposited to raise the ball fields. In conclusion, Webb said that “it does appear that the development of this site as a recreational park along the lines of the currently proposed plan is feasible, that it will be possible without regulatory opposition or large amounts of additional fieldwork.” Commissioner Haven asked if the

Eastern Band of the Cherokee Indians could stop development of the property, and Mr. Webb said that while the Cherokee are a consulting party on the project, they have no legal ability to stop its development. Commissioner Beale asked if a Phase II archaeological study would be necessary, and Mr. Webb said no.

Based on all of the other due diligence matters having been addressed, the County Manager said that, unless otherwise directed by the board, the county would proceed with the closing on the property. The County Attorney noted that the board is obligated to purchase and close on the property unless it chooses not to do so during the due diligence process and that notice of such action must occur on or before April 15th. Commissioner Higdon said the county should clean up the ball fields that it currently has and stated that he would oppose entering into a contract to purchase the property. Commission Haven said that, in his opinion, the property was not worth what the county was paying for it and that he would not vote to purchase it. Commissioner Higdon made a motion to rescind the county's offer to purchase the property, and Commission Haven seconded the motion. Chairman Corbin asked for discussion, saying that an appraisal performed in July 2011 valued the property at \$733,500 and that the board was not voting to spend \$5.1-million to develop the property. Questions then arose about whether the property could be filled, and if so, where the fill material could come from. This led to a lengthy debate, which ultimately led to the board agreeing to recess the meeting until Friday, April 12, 2013 at 6 p.m. and to ask the County Manager and the County Attorney to lead an investigation that would provide answers to the lingering questions regarding the placement of fill on the property. Commissioner Higdon withdrew his motion, Commissioner Haven withdrew his second to the motion, and no action was taken.

CLASSIFICATION AND COMPENSATION STUDY: The County Manager provided the board with some background information on the classification and compensation study performed by Springsted, Inc. He then reviewed a list of points for the board to consider, a copy of which is attached (Attachment 1) and is hereby made a part of these minutes. He then asked the board to implement Option 2 as found in the study, which includes a new pay scale, bringing those under the minimum salary for their respective grade up to that new minimum, and adjusting all other employee salaries by 2 percent. He explained that the delay in implementation was due to figuring out a way to pay for it without raising taxes, and asked that it be implemented as soon as possible, explaining that the revised salaries would be incorporated into the proposed FY 2013-14 budget and no additional salary adjustments

would be made. This topic also led to a lengthy discussion among the board members. Commissioner Beale made a motion to implement Option 2 as presented, and to do so as soon as possible, and the motion was seconded by Commissioner Tate. During discussion, Commissioner Haven advocated taking the cost of the pay increases and giving it back to the taxpayers, and Commissioner Higdon described the study as “flawed” and listed a number of reasons why he did not support it. Following additional discussion, the board voted 3-2 to approve the motion, with Commissioners Beale, Corbin and Tate voting in favor and Commissioners Haven and Higdon opposing.

Chairman Corbin declared a recess at 8:01 p.m.

Chairman Corbin called the meeting back to order at 8:19 p.m.

CHANGE ORDER NO. 3 ON SWISS COLONY AREA WATER SYSTEM IMPROVEMENTS: The County Manager explained that the purpose of the change order was to provide for the installation of approximately 42 pressure reducing valves, along with a larger pressure reducing valve to regulate water pressure at Rolling Acres Mobile Home Park. The net effect is a contract price increase of \$19,900, which the state Department of Environment and Natural Resources will cover. Upon a motion by Commissioner Haven, seconded by Commissioner Beale, the board voted unanimously to approve the change order as presented, a copy of which is attached **(Attachment 2)** and is hereby made a part of these minutes.

PARTF RESOLUTION: Commissioner Tate said that officials with the Town of Highlands asked him to bring a proposed resolution to the county for the board’s consideration that would “maintain and support the current integrity and funding for the Parks and Recreation Trust Fund (PARTF). It was noted that funding for PARTF does not come from taxes, but from so called “stamp fees” on land transactions paid at the register of deeds office. Commissioner Beale made a motion to approve the resolution as presented and to forward it to the county’s legislative delegation, and the motion was seconded by Commissioner Tate. Following discussion, the board voted 3-2 to approve the motion, with Commissioners Beale, Corbin and Tate voting in favor and Commissioners Haven and Higdon opposing.

CHANGE ORDER NO. 1 ON THE MACON COUNTY DENTAL CLINIC: Tom Ritter, the architect for the project, explained the change order, which covered seven items at an overall increase of \$3,153. The total cost was within the \$4,500 contingency budget for the clinic, and Ritter noted that a certificate of occupancy had been issued. Tammy Keezer

with Macon County Public Health said the department would be moving into the clinic on the upcoming Friday (April 12th). Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to approve the change order as presented, a copy of which is attached (Attachment 3) and is hereby made a part of these minutes.

NEW FEES AT PUBLIC HEALTH: Tammy Keezer presented information regarding two new fees for tests that had been approved by the Board of Health at its March 25th meeting. Upon a motion by Commissioner Higdon, seconded by Commissioner Tate, the board voted unanimously to approve the new fees as presented. Details regarding the fees are outlined in an e-mail, a copy of which is attached (Attachment 4) and is hereby made a part of these minutes.

CONSENT AGENDA: Upon a motion by Commissioner Beale, seconded by Commissioner Tate, the following items on the consent agenda were unanimously approved: **Minutes** – Approved the minutes from the March 12th and April 4th meetings. **Budget amendments** – Approved the following budget amendments: #148 for the Housing Department to move a portion of the budgeted amount (\$27,614) to cover administration for the remainder of Fiscal Year 2012-13; #149 for the Transit Department to amend the budget to increase revenues and expenses for the 5310 grant and to draw down all available funds; #150 for the Housing Department to appropriate \$73,665 in revenue from an AARA Weatherization contract modification; #151 for the Department of Social Services to allocate \$812 for vehicle repairs from an insurance settlement. (Revisions with corresponding numbers attached.) **Tax refund** – Approved a refund in the amount of \$651.61 for Cecil Elders, based on justification from Tax Administrator Richard Lightner. **Tax releases** – Approved tax releases in the amount of \$768.25. (A computer printout of releases is on file in the Tax Department and the County Manager’s office.) **Monthly ad valorem tax collection report** – No action necessary.

APPOINTMENTS: Board of Adjustment and Community Funding Pool – Upon a single motion by Commissioner Haven, seconded by Commissioner Tate, the board voted unanimously to (A) reappoint Byron McClure, Ben Swafford and Charles Thun to the Board of Adjustment for terms of three years each, with terms to expire April 9, 2016, and (B) to reappoint Ann Hyder, Karen Wallace and Vince West to the Community Funding Pool committee for terms of three years each, with terms also to expire April 9, 2016.

CLOSED SESSION: Prior to going into closed session, Chairman Corbin announced that the board would recess until 6 p.m. on Friday, April 12th, and that the board also planned to meet on April 18th and April 23rd. He also said that there may be changes to the board's meeting schedule for May, including a meeting to be held in Highlands. At 8:45 p.m., and upon a motion by Commissioner Haven, seconded by Commissioner Beale, the board voted unanimously to go into closed session for the purpose of consulting with the attorney under G.S. 143-318-11(a)(3) and to discuss property acquisition under G.S. 143-318-11(a)(5). At 9:12 p.m., and upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted unanimously to come out of closed session. No action was taken.

RECESS: With no other business, and upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously at 9:13 p.m. to recess the meeting until 6 p.m. on Friday, April 12, 2013 in the commission boardroom located on the third floor of the Macon County Courthouse at 5 West Main Street, Franklin, NC.

Jack Horton, County Manager
Clerk to the Board

Kevin Corbin
Board Chairman