

MACON COUNTY BOARD OF COMMISSIONERS
APRIL 12, 2011
MINUTES

Chairman McClellan convened the meeting at 6 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: Chairman McClellan made a number of announcements, and explained that Commissioner Beale would be leaving the meeting at approximately 8 p.m. in order to make a trip to Raleigh.

INVOCATION: Commissioner Koppers gave the invocation.

PLEDGE TO THE FLAG: The pledge to the flag was recited.

PUBLIC HEARING/SOIL EROSION AND SEDIMENTATION ORDINANCE: Chairman McClellan recessed the regular meeting at 6:07 p.m. to convene the public hearing on the proposed amendments to the Soil Erosion and Sedimentation Ordinance as noticed. **Jenny Sanders**, the vice chair of the Macon County Watershed Council, said she was happy to see the minimum changes being made to the ordinance, but asked the board to set aside some time to look at other recommendations made by the council in late 2009. **Susan Ervin** asked the board to support the full set of amendments by adopting a revised ordinance as presented by the council. Chairman McClellan asked Jack Morgan, the director of Permitting, Planning & Development, to read the amendments into the record. Mr. Morgan read and explained the modifications to Sections 153.07 (B) (1) and 153.07 (C) as requested. Chairman McClellan closed the hearing at 6:13 p.m.

ADOPTION OF AMENDED SOIL EROSION AND SEDIMENTATION ORDINANCE: Upon a motion by Commissioner Beale, seconded by Commissioner Koppers, the board moved immediately to take up Agenda Item 9A and voted unanimously to approve Amendments to Chapter 153, Sedimentation and Erosion Control, Sections 153.07 (B) (1) and 153.07 (C) as presented. (Attachment 1)

PUBLIC COMMENT: **Jeff Pritz** discussed overdue charges for books and DVDs at the Macon County Public Library, stating that charges should be the same for each. **Karen Wallace**, Macon County Librarian, explained that the library's fines and fees have been in place since 2002

and that charges are used as an incentive to allow others to use the materials. She also explained that the library board would be the appropriate place for Mr. Pritz to make his request. **Vic Drummond** asked to speak on two items, the first being a letter he received from the Southwestern Commission Area Agency on Aging, which he said he found disturbing due to the inclusion of what he considered to be confidential information. Mr. Drummond also had questions regarding the donation of a surplus vehicle to Burningtown Church of God, an item on the consent agenda. **Susan Ervin** thanked the board members for the time they had devoted to the Needmore Road issue. **Jenny Sanders**, representing the Little Tennessee Watershed Association, said the organization appreciated the board's leadership on the Needmore Road matter, adding that the board's stance reflected the community's sentiment and that it was a good compromise.

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

- To take out Item 11F (Authorization to use electronic method to surplus property).
- To take Item 11E (Donation of surplus vehicle to Burningtown Church of God) off of the Consent Agenda and move it under Old Business as Item 9D.
- To move Item 9B (Iotla Valley School Contract Amendment) as the next item following approval of the agenda.
- To take up all of the items under New Business (10A, 10B and 10C) before discussing Item 9C (Revise proposed meeting schedule for April/May).

IOTLA VALLEY SCHOOL CONTRACT AMENDMENT: Patrick Bradshaw with Civil Design Concepts compared the items that would be deducted from the current wastewater surface drip design – a reduction of \$103,000 – to the additional items required to design, permit and construct a sub-surface wastewater system – a total of \$155,500. Mr. Bradshaw noted that the latter figure included \$15,000 in “soft costs” related to permit issues and another \$47,500 in engineering redesign and contract administration costs. Commissioner Beale noted that the long-term maintenance costs on the surface drip design system would be prohibitive. The County Manager added that the Macon County Board of Education was fully supportive of the change. Upon a motion by Commissioner Corbin, seconded by Commissioner Beale, the board voted unanimously to accept the amendments to the design contract with Civil Design Concepts and to authorize the County Manager to sign the

document, with the County Attorney requesting the affixing of the preaudit stamp and approval of the Finance Director. [\(Attachment 2\)](#)

PRESENTATION ON SOUTHWESTERN COMMISSION AREA AGENCY ON AGING: Mary Barker, the administrator for the agency, began by responding directly to Vic Drummond regarding his remarks during the public comment period. Ms. Barker then provided the board with a brief orientation to the Area Agency on Aging (AAA), particularly with regard to agency committees that require appointments or other consideration from county commissions. Ms. Barker also discussed NC 2-1-1, which is similar to 911, and provides access to health and human service information and referrals. Fred Alexander with the Duke Energy Foundation explained that the foundation is offering a \$19,000 matching grant, on a 50/50 basis over a three-year period, to help bring 2-1-1 service to Macon and five other counties – Cherokee, Clay, Graham, Jackson and Swain. However, Alexander said Duke is not interested in supporting a piecemeal service, and all six counties would need to be committed in order to draw down the grant funds. Macon County’s annual share would be \$2,880, based on population density. The board had questions as to which other counties had committed funding and when would be the appropriate time to act on the request, but took no action.

NEEDMORE ROAD RESOLUTION: Chairman McClellan read the resolution – entitled Resolution Supporting North Carolina Department of Transportation Roadway and Safety Improvements to Needmore Road in Macon and Swain Counties – for the record, and upon a motion by Commissioner Haven, seconded by Commissioner Corbin, the board voted unanimously to approve it. The resolution, in conjunction with the Swain County Board of Commissioners, supports Alternative C as indicated in the document at a cost of \$5.2 million. [\(Attachment 3\)](#)

NATHAN B. ‘NAT’ HENRY BRIDGE RESOLUTION: Commissioner Beale read the resolution – entitled Resolution Requesting the North Carolina Department of Transportation Name Bridge #3064110 Located in Franklin, Macon County, North Carolina at the Intersection of Business Highway 441 South/U.S. Highway 64 East The “Nathan B. ‘Nat’ Henry Bridge” in His Honor by Designation and Erection of Signage. Commissioner Beale noted that this was a joint resolution with the Town of Franklin, as the bridge is in the corporate limits. Upon a motion by Commissioner Koppers, seconded by Commissioner Haven, the board voted unanimously to approve the resolution. [\(Attachment 4\)](#)

LEASE AGREEMENT WITH R.S. JONES, JR. AND FRED JONES: Following explanations from the County Manager, County Attorney and

Sheriff Robbie Holland, and upon a motion by Commissioner Koppers, seconded by Commissioner Beale, the board voted unanimously to authorize the County Manager to give notice of the county's intent to renew and to negotiate and sign the lease agreement. The lease covers office space utilized by six officers with the Macon County Sheriff's Department. An inflator in the lease agreement brings the cost to \$1,069 per month. There was further discussion regarding the need for additional office space for the sheriff's department in a building owned by Commissioner Corbin, who did not participate in the conversation. No action was taken; however, the consensus of the board was to have the County Manager continue to explore that possibility.

DONATION OF SURPLUS VEHICLE TO BURNINGTOWN CHURCH OF GOD: Following explanations and details from the County Attorney, Commissioner Beale and the County Manager, and upon a motion from Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to authorize the County Manager and the County Attorney to proceed with the legal documents to donate a surplus transit van to the Burningtown Church of God. It was understood that the pastor of the church had approached the county about obtaining the vehicle and making repairs to it before giving it to a disabled individual.

Commissioner Beale was excused from the meeting at 7:55 p.m.

REVISE PROPOSED MEETING SCHEDULE FOR APRIL/MAY: With the county planning board preparing to present the draft comprehensive land use plan later in the month, the board agreed to recess the meeting until Tuesday, April 26 at 6 p.m., and to remain on track with the meeting schedule as outlined at the March 22nd meeting.

CONSENT AGENDA: Upon a motion by Commissioner Corbin, seconded by Commissioner Koppers, the following items on the consent agenda were unanimously approved: **Minutes** – Approved the minutes from the March 8th, March 15th and the March 22nd meetings. **Budget revisions** – Approved the following budget revisions: revision #132, appropriating \$401,920 of the E911 Fund Balance for equipment for establishing the new 911 center; revision #133, appropriating \$27,700 of the E911 Fund Balance to the Reverse 911 system, signs and the Highlands communication tower; revision #134, appropriating additional funds of \$9,538 for the Crisis Program in Social Services; revision #135 appropriating \$7,000 in additional revenue from gun permits payable to the state from the Sherriff's Department. (Revisions with corresponding numbers attached.) **Tax releases** – Approved tax releases in the amount of \$106.50. (A computer printout of releases is on file in the Tax Department and the County Manager's office.) **Highlands Fireworks** –

Approved the Highlands Area Chamber of Commerce to conduct an Independence Day fireworks display in the Town of Highlands on Monday, July 4. **Release of lottery funds** – Approved the application requesting release of \$475,640.66 from the Public School Building Capital Fund (Lottery Distribution).

APPOINTMENTS: Community Funding Pool – Upon a motion by Commissioner Kupperts, seconded by Commissioner Corbin, the board voted unanimously to reappoint Hammond Rauhers, Mary Ann Sloan, Jennifer Jones and Cindy Reed. Terms are for three years and will expire on April 12, 2014. **Nursing/Adult Care Home Community Advisory Committee** – Upon a motion by Commissioner Kupperts, seconded by Commissioner Haven, the board voted unanimously to appoint Pam Goldsmith to the committee, replacing Kay Hilty, who resigned. Term of appointment is for three years and will expire on April 12, 2014. Appointments to the Board of Adjustment, Planning Board, Town Board of Adjustment and Watershed Review Board were delayed.

RECESS: At 8:14 p.m., and upon a motion by Commissioner Kupperts, seconded by Commissioner Corbin, the board voted unanimously to recess until 6 p.m. on Tuesday, April 26, 2011 for the primary purpose of the presentation of the draft comprehensive land use plan.

Jack Horton, County Manager
Clerk to the Board

Brian McClellan
Board Chairman