

**MACON COUNTY BOARD OF COMMISSIONERS
NOVEMBER 8, 2011
MINUTES**

Vice-Chairman Kupperts convened the meeting at 6:04 p.m. All Board Members (with the exception of Chairman McClellan), the County Manager, Deputy Clerk, Finance Director, County Attorney, members of the news media and interested citizens were present.

ANNOUNCEMENTS: Vice-Chairman Kupperts introduced Lori Hall as the county's new Finance Director. Commissioner Beale commented on a recent meeting he and others had with Gov. Beverly Purdue, and Vice-Chairman Kupperts commented on the recent joint meeting with the towns of Franklin and Highlands.

INVOCATION: The Rev. Eddie Trull gave the invocation.

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

ADJUSTMENT TO THE AGENDA: Upon a motion by Commissioner Beale, seconded by Commissioner Corbin, the board voted unanimously to move Agenda Item 8A (Update on improvements to Holly Springs Community Building) in front of the Public Comment Period.

UPDATE ON IMPROVEMENTS TO HOLLY SPRINGS COMMUNITY BUILDING: Commissioner Beale explained the need to bring the building into compliance and asked the County Manager to provide additional details. The County Manager noted that the building is used as an election polling location, and is in the process of being considered for inclusion on the register of historic places. He explained the need to make the building compliant under the Americans with Disabilities Act (ADA), as well as the need to make other repairs and upgrades, which have been estimated to cost a minimum of \$25,000 in materials only, up to a maximum of \$35,000. He pointed out that the county had worked with the Scaly Mountain and Pine Grove communities on similar projects in the past, and a model for an agreement with the community is available. Upon a motion by Commissioner Corbin, seconded by Commissioner Beale, the board voted unanimously to allocate \$35,000 from contingency into a designated fund for improvements to the Holly Springs Community Building, contingent upon approval of an agreement to be drawn up by the County Attorney. The County Manager noted that the county will disburse the payments for the improvements.

RECOGNITION OF DON AND DOROTHY SEAGLE: Commissioner Beale recognized Don and Dorothy Seagle and their long-term efforts to preserve and maintain the Holly Springs Community Building, and Commissioner Beale and Commissioner Corbin presented the couple with a plaque in appreciation of their years of outstanding service to the community, with Commissioner Corbin noting that the board's action tonight was taken in their honor. Many members of the Seagle family were in attendance and posed for a family photograph. Mr. Seagle expressed his appreciation to the commissioners, with Mrs. Seagle saying it was "an honor we never expected." Note: Chairman McClellan joined the meeting at this time, and expressed his thanks to the Seagles for a well-deserved honor.

PUBLIC COMMENT: **Jeff Cohen** from Nantahala said that he lives near the public boat ramp at Rocky Branch and voiced his concerns over safety issues there, saying that boats and swimmers don't mix and that any public swimming area would need to be away from the boat ramp. He said the "Slow No Wake" signs were not abided by, adding that boats and alcohol don't go together. **Martha Cohen** of Nantahala offered a similar viewpoint, and urged the board not to have a public swimming area near the boat ramp. **Michelle Masta** spoke to the board about the Wildflower development, of which she is part-owner. Ms. Masta voiced her concerns over having to release a homeowner from his contract and stated that some members of the county planning board had made negative comments about the development to that homeowner. She said she was coming to the board for advice and help, adding that this "nonsense" needs to stop. **Jenny Sanders** voiced her concerns about term limits for certain county advisory board members, saying that as director of the Little Tennessee Watershed Association, it can be hard to find skilled volunteers to fill spots on certain boards.

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

- Per Commissioner Beale, to add an update from Barry Clinton on the Watershed Council as Item 8C.
- Per the County Attorney, to add consideration of a resolution regarding the county's adopted multi-jurisdictional hazard mitigation plan as Item 10C.
- To add a budget revision at the Finance Director's request under the Consent Agenda in Item 11B.
- To add a contract for economic development and business recruitment services at the County Manager's request as Item 10D.

PRESENTATION BY NANTAHALA STUDENTS REGARDING PROPOSED NANTAHALA BEACH:

Prior to the presentation, Commissioner Kupperts reminded everyone of the current status and difficulties of securing a public swimming area on the lake, telling the students, "Your safety is what got me into this." Amber Gearhart did a PowerPoint presentation describing the lack of a designated public swimming area at Lake Nantahala, noting that swimming is prohibited at the Rocky Branch Access Area. She reviewed the 2003 settlement agreement with Duke Energy which calls for a number of improvements to the Rocky Branch site. She described the benefits of a public beach on the lake, and went over three possible options/locations, noting that it could be called the Robbie Newton Memorial Beach in honor of the former Nantahala School principal. A number of other Nantahala students offered their viewpoints on the topic as well. The board members presented each of the students and community leaders with a Macon County lapel pin and commented on how impressed they were with the overall presentation. No action was taken.

WATERSHED COUNCIL: Barry Clinton, chair of the Macon County Watershed Council, told the board that the council had prepared an executive summary of suggested revisions for the erosion and sediment control ordinance, and that consideration of those amendments had been delayed pending legal review. In light of the fact that the board is now considering a set of construction standards, Mr. Clinton said the council would withdraw its recommendations and await direction from the board following its review of, or action on, the construction standards. By consensus, the board agreed with this course of action.

EXCHANGE OF REAL ESTATE: The board again discussed the proposed exchange of property with Donald and Betty Fisher in Highlands, and following discussion, agreed by consensus to once again advertise the notice of the proposed exchange in order to be able to consider this item at the December regular meeting.

NC HIGHWAY PATROL TELECOMMUNICATIONS FACILITY: The County Manager informed the board that the fall zone for the proposed VIPER tower off Addington Bridge Road would have a 100-foot fall radius, although chances of the tower falling were remote. Additional discussion centered on how the county's telecommunication tower ordinance applied in this particular instance, as the tower will not be used for commercial (cell phone) purposes. Based on his research, the County Attorney recommended that the board clarify the ordinance and hold a public hearing to amend it prior to signing the lease agreement, stating

that the county is subject to its own ordinance, and therefore the “safe harbor” would be to amend it. Upon a motion by Commissioner Beale, seconded by Commissioner Corbin, the board voted unanimously to hold a public hearing on amendments to the telecommunications tower ordinance at the December regular meeting.

ABANDONED CEMETERY: Chairman McClellan, without objection, agreed to move to Item 10B on the agenda and recognized Jerry Sutton. Mr. Sutton, president of the Clarks Chapel Community Club, explained that he was requesting assistance from the county in order to preserve the Angel Cemetery in the Clarks Chapel Community. Mr. Sutton reviewed the details regarding the cemetery contained in a letter to the board (Attachment 1), which requests financial assistance in the amount of \$3,781 to fence the approximately one-acre parcel. Commissioner Beale noted that under state statute, the board of commissioners has certain responsibilities with regard to abandoned public cemeteries. Following a discussion regarding the county’s legal responsibilities, and upon a motion by Commissioner Beale, seconded by Commissioner Koppers, the board voted unanimously to allocate up to \$5,000 from contingency to assist the Clarks Chapel Community Club with the fencing of the Angel Cemetery.

COMMITTEE APPOINTMENTS/TERM LIMITS: During the discussion of this item, the County Manager suggested that the board think about having a formal appointment policy, which would standardize the procedure. After additional discussion, the board members agreed to allow the County Manager and County Attorney to finish their work on this task and report back at the December regular meeting.

ADULT DENTAL SERVICES: Health Center Director Jim Bruckner gave a PowerPoint presentation regarding the Adult Dental Program. He explained that an ad-hoc committee had looked at two options, either (1) mothballing the program or (2) staff and continue to recruit a dentist for the program. Mr. Bruckner said the committee was less supportive of the first option, and had requested that the board be made aware of funding needs for this year, as well as proposed recruiting and retention options, plus a proposed sliding fee scale. Mr. Bruckner explained that in the best case scenario, the program would need an additional \$53,824 in funding this year, and that request was being made tonight. In addition, the committee was also asking to increase the base salary for the dentist by 10 percent to \$113,724 and to add the sliding fee scale. Commissioner Beale said he felt the county can’t abandon the program, but at some point would have to decide whether to stay in or get out, and he also suggested having a consultant review the program. Upon a

motion by Commissioner Beale, seconded by Commissioner Corbin, the board voted unanimously to allocate the additional \$53,824 from contingency as requested, and asked Mr. Bruckner to update the board on the program by February 2012. Upon a motion by Commissioner Kupperts, seconded by Commissioner Haven, the board voted unanimously to authorize the health director to offer a base salary of \$113,724 to a prospective dentist candidate. Upon a motion by Commissioner Kupperts, seconded by Commissioner Beale, the board voted unanimously to approve a sliding fee scale, as presented, for the adult dental program.

MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN RESOLUTION:

Upon a motion by Commissioner Corbin, seconded by Commissioner Beale, the board voted unanimously to approve the Resolution of Adoption of the Updated 2009 Multi-Jurisdictional Hazard Mitigation Plan for Macon County, NC (Attachment 2) as presented.

PROFESSIONAL SERVICES AGREEMENT WITH NEW SOUTH STRATEGIES, LLC:

Following the recommendation of the County Manager, and upon a motion by Commissioner Corbin, seconded by Commissioner Beale, the board voted unanimously to approve a professional services agreement with New South Strategies, LLC (Thomas K. Jenkins) to provide economic development and business recruitment services for the county beginning November 1, 2011 and for the balance of the 2011-2012 fiscal year. Under the agreement, the county will pay New South Strategies \$5,000 per month for these services, plus \$100 per month for cellular telephone and data expense, plus reimbursement for other expenses as shown in the agreement (Attachment 3), with New South Strategies to have specific duties as outlined in the agreement.

CONSENT AGENDA: Upon a motion by Commissioner Kupperts, seconded by Commissioner Corbin, the following items on the consent agenda were unanimously approved: **Minutes** – Approved the minutes from the October 11th and October 25th meetings. **Budget revisions** – Approved the following budget revision: revision #78 for the Department of Social Services to allocate additional Crisis Intervention Program funds of \$18,832; (Revision with corresponding number attached.) **Tax releases** – Approved tax releases in the amount of \$668.85. (A computer printout of releases is on file in the Tax Department and the County Manager’s office.) **Interlocal Agreement with the Town of Highlands regarding recreation facilities and services** – Approved an updated agreement, a copy of which is attached.

ADJOURN: With no further business, and upon a motion by Commissioner Haven, seconded by Commissioner Beale, the board voted unanimously to adjourn at 9:43 p.m.

Jack Horton, County Manager
Clerk to the Board

Brian McClellan
Board Chairman