

MACON COUNTY BOARD OF COMMISSIONERS
DECEMBER 1, 2003
MINUTES

Chairman West convened the meeting at 6 p.m. All Board Members, the County Manager, County Attorney, Staff Attorney, Deputy Clerk, County Finance Director, members of the news media and interested citizens were present. Rev. Steve Reeves from Iotla Baptist Church gave the invocation.

ELECTION OF CHAIRMAN/VICE CHAIRMAN: Chairman West turned the meeting over to the County Manager for election of Chairman. Upon motion by Commissioner Bryson and seconded by Commissioner Simpson, Chairman West was nominated as chairman for the upcoming year. Commissioner Bryson made a motion nominations cease and Chairman West be elected. The motion was seconded by Commissioner Simpson and all favored. Chairman West expressed appreciation to the Board for the confidence and opened the floor for nominations for vice-chairman. Upon motion by Commissioner Leatherman, seconded by Commissioner Shepherd, Commissioner Bryson was nominated as vice-chairman. Commissioner Leatherman made a motion nominations cease and Commissioner Bryson be elected. The motion was seconded by Commissioner Simpson and all favored.

PUBLIC HEARING/CELL TOWER APPLICATION: Chairman West adjourned the regular meeting at 6:05 p.m. to convene the public hearing on a cell tower application from Cingular Wireless to erect a 50-foot monopole tower site on the top of the ridge overlooking Gold City just off Highway 441 north of Franklin adjacent to the chairlift on property owned by Curtis G. Rhoades. Alvin Kinkaid stated he was representing two Kincaid trust accounts consisting of a 9.46-acre tract and a 8.26-acre tract which are adjacent to the proposed tower site. Mr. Kinkaid expressed opposition to the proposed site because it is in a residential area, microwaves from the tower could be a health hazard and a decrease in market value of surrounding properties. He presented maps of the area noting Mediacom already has four satellite dishes on the lot. Julie Maciel stated she would like to reiterate Mr. Kinkaid's comments and opposition to the proposed site. Curtis Rhoades, owner of the proposed site, stated he owned fifty acres of residential property of which some its already zoned commercial and he doesn't think residential property or values will be affected by the tower. County Planner Byron McClure presented a fact sheet on the proposed site and Jonathan Yates representing Cingular stated the company will hold the site to any landscaping requirements the Board might impose, the proposed site will connect to the Mi Mountain site recently permitted, that the company has spent a year developing the site and meeting the terms of the County's Ordinance. When questioned Mr. Yates stated his company would do whatever is required to upkeep the road but, after construction, it would not be necessary to travel to the site frequently. Being no further comments the public hearing was adjourned. (Note action taken later in meeting.)

PUBLIC HEARING/NANTAHALA LAKE BUOY: Chairman West reopened the public hearing on the request for placement of a "no-wake" buoy in the Jarrett Creek area of Nantahala Lake as recessed from the November meeting. Wayne Haines stated he and Mr. Davis had spoken with Lyman Bryant and "Sonny" Burrell after the last meeting and had not heard from them since. He added they had thirteen letters from residents in Mountain Shadows supporting the buoy. There were no further comments. the public hearing was adjourned and Chairman West reconvened regular session.

NANTAHALA LAKE BUOY: Commissioner Leatherman made a motion to adopt a resolution requesting the North Carolina Wildlife Commission to proceed with procedures and a public hearing for placement of a "no-wake" buoy on Nantahala Lake per attachment #1. The motion was seconded by Commissioner Bryson and all favored.

MINUTES: Upon motion by Commissioner Shepherd and seconded by Commissioner Simpson the Board unanimously voted to approve the November 3rd minutes as submitted.

PUBLIC SESSION: Narelle Kirkland urged the Board to come up with a mission statement for the Planning Board and suggested that the Planning Board be divided into committees to take the prior plans and weed out the good, go to adjoining counties to determine what policies they have in place, hold public meetings to educate the public and do so as soon as possible adding that we must do this to save our county.

CELL TOWER APPLICATION: After discussion on the cell tower application from Cingular Wireless to be located on the Gold City ridge (see public hearing notes at beginning of meeting), Commissioner Bryson made a motion to require a thirty-foot vertical vegetative screen around the tower. The motion was seconded by Commissioner Leatherman and all favored.

SMOKY MOUNTAIN CENTER: Michelle Bowers from Smoky Mountain Center presented a resolution approving the Smoky Mountain Center Local Business Plan per attachment #2. Upon motion by Commissioner Shepherd and seconded by Commissioner Simpson the Board unanimously voted to adopt the resolution as presented.

SHERIFF'S DEPARTMENT: Sheriff Robert Holland requested authorization to apply for two grants from the North Carolina Crime Commission. Upon motion by Commissioner Leatherman and seconded by Commissioner Shepherd the Board unanimously voted to authorize application for the Macon Crime Scene Unit for \$64,365 to be used for a 4-wheel drive vehicle to respond to crime scenes. The grant will require a 25% local match. Sheriff Holland stated the agency has determined grant funds for the Narcotics Unit could better be utilized locally and is withdrawing from the Multi-County Drug Task Force. Upon a motion by Commissioner Simpson and seconded by Commissioner Leatherman the Board unanimously voted to authorize application by the Macon County Narcotics Unit for grant funds of \$105,267 which would also require a 25% local match. Sheriff Holland noted that if grants are approved and accepted, local match would be budgeted in next fiscal year's budget (FY 2004/05).

RECREATION: South Macon Project - Recreation Director Bob Hunt, members of the Recreation Commission and staff were present to discuss the proposed South Macon Recreation Park Complex explaining a long range plan must be adopted in order to apply for PARTF funds. After discussion Commissioner Simpson made a motion to approve moving forward with the project as presented which will be a multi-phase project and to authorize application for grant funds. The motion was seconded by Commissioner Bryson and all favored.

By-laws - The need for uniform by-laws for all three-recreation commissions were discussed after which Commissioner Bryson made a motion to authorize the County Manager and Staff Attorney to draft uniform by-laws for consideration at a later meeting. The motion was seconded by Commissioner Simpson and all favored.

APPOINTMENTS: Appointments to the Highlands Recreation Commission were tabled until the January meeting.

FINANCE: Financing resolution - Upon motion by Commissioner Bryson and seconded by Commissioner Leatherman the Board unanimously voted to adopt a resolution approving an installment financing contract and a deed of trust with relating to the Highlands School Project per attachment #3. Recreational Trails Program - Commissioner Simpson made a motion to accept and appropriate \$50,000 Recreation Trails Program grant funds for paving on the Greenway. The motion was seconded by Commissioner Shepherd and all favored. Budget revisions - The following budget revisions were unanimously approved: revision #76, upon motion by Commissioner Bryson and seconded by Commissioner Simpson, appropriating \$4,308 additional NCDOT funds in Transit; revision #77, upon motion by Commissioner Shepherd and seconded by Commissioner Leatherman, appropriating \$13,000 Smart Start Funding in the Health Department; revision #78, upon motion by Commissioner Simpson and seconded by Commissioner Leatherman, appropriating \$9,425 Family Planning state funds in the Health Department; revision #79, upon motion by Commissioner Leatherman and seconded by Commissioner Bryson, appropriating \$23,784 additional DSS funding; revision #80, upon motion by Commissioner Shepherd and seconded by Commissioner Bryson, appropriating \$2,478 additional adoption assistance state funds; revision #81, upon motion by Commissioner Simpson and seconded by Commissioner Shepherd, appropriating \$6,554 additional DSS TANF Domestic Violence funding; revision #82, upon motion by Commissioner Leatherman and seconded by Commissioner Simpson, appropriating \$20,196 DSS funding; and revision #83, upon motion by Commissioner Bryson and seconded by Commissioner Simpson, appropriating \$5,330 drug forfeiture reimbursement in the Sheriff's Department. (Note: budget revisions with corresponding numbers are attached.)

TAX RELEASES: Upon a motion by Commissioner Leatherman and seconded by Commissioner Bryson tax releases in the amount of \$1,149.02 were unanimously approved as submitted.

OSCAR LEDFORD: The County Attorney noted that a former Chairman of the Board of Commissioners, Oscar Ledford, had recently passed away and noted some of Mr. Ledford's contribution to the community and area. Commissioner Simpson made a motion to adopt a resolution in honor of Mr. Ledford in recognition of his service and dedication to the citizens of Macon County and the State of North Carolina. The motion was seconded by Commissioner Leatherman and all favored.

ADJOURNMENT: Upon motion by Commissioner Shepherd and seconded by Commissioner Bryson the meeting was adjourned.

Sam K. Greenwood, County Manager
Ex Officio Clerk to the Board

Mark B. West
Board Chairman

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