

MACON COUNTY BOARD OF COMMISSIONERS
FEBRUARY 3, 2003
MINUTES

Chairman West convened the meeting at 6 p.m. in the Board Room. All Board Members with the exception of Commissioner Shepherd who was excused due to a death in the family, the County Manager, County Attorney, Deputy Clerk, Finance Director, members of the news media and several citizens were present.

Rev. Gary Brown from Resurrection Lutheran Church gave the invocation. Chairman West welcomed everyone and recessed the meeting to reconvene in Courtroom A in order to accommodate the large number present.

MINUTES: Upon a motion by Commissioner Leatherman and seconded by Commissioner Simpson the Board unanimously approved the January 6th, 20th and 21st minutes as submitted.

PUBLIC SESSION:

Carolyn Strader, representing the Macon County Human Relations Council, requested consideration of a resolution adopting Martin Luther King, JR's birthday as an official holiday in Macon County effective January 2004.

Sue Waldroop stated she wanted to offer the Board roses and thank them for keeping campaign promises concerning the time of board meetings.

Richard S. Robb, stated he was an avid hunter and that there is a problem with out of control dogs in the county. Mr. Robb stated he felt hunters had their dogs under control when hunting but a lot of domestic animals are allowed to roam freely with no control. He requested consideration of action that would require control of dogs but not affect hunters.

Norm Roberts thanked the Board for keeping their promises concerning the board's meeting time and stated there was 62 citizens present at the meeting excluding media and staff.

Larry Stenger stressed the importance of all groups working together stating we are responsible for the stewardship of life and that the adults are charged with the responsibility to make decisions that insure our children grow up in a better place. Mr. Stenger challenged the citizens and Board of Commissioners to work together for betterment of the county.

Allan Allman explained there are signs on the courthouse entrance doors stating when entering you are consenting to search and seizure. He stated this is violation of Article IV of the United States Constitution and Article I, Section 20 of the North Carolina State Constitution. He added that no one knows who put the signs up but that they need to be removed. He also commended the Board for changing their meeting time to evenings.

Sandra Hann commended the Board for changing their meeting times and encouraged the Board to look at the possibility of bringing in good, clean industry because citizens need good jobs in order to support their families.

Norella Kirkland stated the main industries in Macon County are tourism and retirement, that she respects that garbage/littering is a part of life and suggested instead of penalizing those who disobey littering laws that those who help eliminate the problem be recognized and rewarded. Ms. Kirkland suggested setting up a system so no more expense will be incurred and give credit on tax bills per bag of trash picked up along the roadways.

Stacy Guffey commended the Board for keeping their promises, stated different groups always have different ideas and working together to compromise on these ideas is an example of democracy at work. Mr. Guffey expressed appreciation for the privilege to address the board and express his ideas.

DSS/SOCIAL SERVICES: Child Fatality/Protection Reports - DSS Director Jane Kimsey, Assistant Health Director Anne Hyder and Kids Place Director Alisha Ashe presented the annual reports for the Child Fatality Prevention Team and Community Child Protection Team. No action was necessary and reports are on file in the County Manager's Office.

Energy Assistance Program DSS Director Jane Kimsey stated that a proposal presented at the January meeting requesting authorization for use of \$100,000 of TANF savings to expand housing for domestic violence victims had not developed as planned and that only \$60,000 of the money will be used in this effort. Ms. Kimsey presented a proposal to establish a \$40,000 supplemental emergency assistance program and stated there is an additional \$12,000 available in federal funds which the agency

would like to use to contract with a former employee to determine eligibility and handle the program. Upon a motion by Commissioner Leatherman and seconded by Commissioner Simpson the Board unanimously voted to authorize use of the \$40,000 for establishment of an energy assistance program and to use the \$12,000 additional federal funding to contract for management of the program. Commissioner Leatherman stated as a former DSS employee he wanted to commend Ms. Kimsey and her department for the fine job they do explaining that until you have been there you just can't understand or appreciate what the department does and the difficulties involved.

TAX DEPARTMENT: Releases Upon a motion by Commissioner Bryson and seconded by Commissioner Simpson the Board unanimously voted to approval tax releases as submitted in the amount of \$3,367.68. (A printout of releases is on file in the Tax Department and the County Manager's Office.)

Refunds Tax Supervisor Richard Lightner stated a refund for G.R. Stockton in the amount of \$308.33 had been presented the previous month with a recommendation for denial; however, after discussion with family members it was determined that double payments had been made on the mobile home and a recommendation for refund was presented. Commissioner Simpson made a motion to approve the refund of \$308.33 to G.R. Stockton based on the information presented. The motion was seconded by Commissioner Leatherman and all favored.

Tax report The Board acknowledged receipt of a written report from Tax Collector Judy Stanfield, as directed by N.C. General Statute 105-369(a), showing the amount due on 2002 real property taxes as \$620,567.90. No action was necessary.

SHERIFF'S DEPARTMENT: Video surveillance system Proposals for video surveillance systems for the detention center was presented. No action was taken and the Sheriff and County Manager were instructed to advertise for bids. Grant pre-application Action was delayed until after discussion of a personnel matter in closed session.

FINANCE: Budget revisions The following budget revisions were unanimously approved: revision #99, upon a motion by Commissioner Leatherman and seconded by Commissioner Simpson, approving transfers within the Board of Elections to cover elections primaries; revision #100, upon a motion by Commissioner Bryson and seconded by Commissioner Leatherman, moving \$13,760 from Recreation to Buildings and Grounds for transfer of maintenance position; revision #101, upon a motion by Commissioner Leatherman and seconded by Commissioner Bryson, appropriating \$5,000 from Contingency to Sheriff's Department; revision #102, action postponed; revision #103, upon a motion by Commissioner Bryson and seconded by Commissioner Simpson, budgeting \$2,582 insurance claim in Sheriff's Department; revision #104, upon a motion by Commissioner Bryson and seconded by Commissioner Leatherman, aligning CJP budget to \$11,093 state allocation; revision #105, upon a motion by Commissioner Bryson and seconded by Commissioner Simpson, appropriating \$6,611 in Department on Aging and Transit Services; revision #106, upon a motion by Commissioner Leatherman and seconded by Commissioner Bryson, budgeting \$252 donations in Health Department; revision #107, upon a motion by Commissioner Bryson and seconded by Commissioner Leatherman, appropriating NCDENR funding of \$5,263 in Health Department; revision #108, upon a motion by Commissioner Bryson and seconded by Commissioner Simpson, appropriating \$55,341 E-911 funds for security upgrades and revision #78 (from a previous meeting), upon a motion by Commissioner Leatherman and seconded by Commissioner Bryson, appropriating funds in the LBJ Water/Sewer capital project. (Note: revisions with corresponding numbers are attached.) Audit contract - Upon a motion by Commissioner Bryson and seconded by Commissioner Leatherman the Board unanimously approved the audit contract for the next three fiscal years with Martin Starnes & Associates, CPA's per attachment #1 and as approved at the January meeting.

COURTHOUSE RENOVATIONS: Mr. Tom Ritter from Ritter Architecture was present to answer questions on the plan and design for the renovations of the third floor of the courthouse. There were no objections to the proposal as presented.

SCHOOL CONSTRUCTION PROJECTS: Acceleration of the construction of the Highlands School gym project was discussed and Commissioner Bryson made a motion to authorize the County Manager to get financing information on the project and to have the information, plans and cost figures available at the continuation meeting.

AIRPORT: Airport Authority Member Everett Stiles and FBO Neil Hoppe were present to continue discussion from the joint meeting of the Airport Authority and Board of Commissioners on airport facilities and projects. No action was taken and the County Manager, County Attorney, Mr. Stiles and Mr. Hoppe will meet prior to the continuation meeting to further work out details.

PINE GROVE SCHOOL BUILDING: Disposition and use of the Pine Grove School Building was discussed. Commissioner Leatherman explained there is funding for

nonprofits through the National Trust for Historical Preservation that the Pine Grove school building would qualify for if owned by a nonprofit willing to accept the challenge. Commissioner Bryson stated the Macon County Preservation Society has expressed a willingness to make application and manage the renovation of the building and made a motion to proceed to transfer the property to Macon County Preservation Society. The motion was seconded by Commissioner Simpson and all favored. The County Attorney will begin the transfer proceedings including checking on inclusion of a reversionary clause.

APPOINTMENTS: Community Funding Pool - Upon a motion by Commissioner Simpson and seconded by Commissioner Bryson the Board unanimously voted to accept the recommendation to reappoint Bobbie Contino and Anne Jones to the Community Funding Pool. Terms will expire March 1, 2006. Library Board Commissioner Leatherman made a motion to accept the recommendation to appoint Chris Baldwin as Nantahala's representative on the Library Board of Trustees and Carolyn Patton as the Highlands representative. The motion was seconded by Commissioner Simpson and all favored. Terms will expire March 1, 2006. Recreation Commission - Upon a motion by Commissioner Bryson and seconded by Commissioner Simpson the Board unanimously voted to reappoint Tim Fish to the Recreation Commission with a term to expire March 1, 2006. RC&D Council - Commissioner Leatherman made a motion to appoint Josh Ward to the RC&D Council. The motion was seconded by Commissioner Bryson and all favored. Term will expire March 4, 2006. Criminal Justice Partnership Advisory Board Commissioner Bryson made motion to appoint the following to the Criminal Justice Partnership Advisory Board with terms to expire September 1, 2003: County Commissioner (Leatherman), County Manager, District Attorney, District Attorney Designee (Steve Boone), Criminal Defense Attorney (Rob Hensley), Sheriff, Sheriff's Designee (Bob Scott), Probation Officer (Randy Pendergrass), Public Health/Substance Abuse (Mike Neidig), Chief of Police or designee, member of business community (Fred Alexander), victim of crime (Debbie Hunter), Public Service (Paul Biery), members at large (Tara Doster and Mathel Shindelman), District and Superior Court Judges. The motion was seconded by Commissioner Simpson and all favored.

APRIL MEETING: Upon a motion by Commissioner Leatherman and seconded by Commissioner Simpson the Board unanimously voted to reschedule the regular April meeting to 4 p.m. at the Nantahala EMS Building located on 1096 Junaluska Road in Topton with the building dedication and an open house beginning at 6 p.m.

DOT SECONDARY ROADS FUNDS: A letter from Senator Bob Carpenter discussing the use and/or loss of secondary roads funds due to inability to obtain right-of-way on some roads was presented for information purposes. In the letter Senator Carpenter informed the Board he is working to keep the money in the county's where originally allocated and would keep the Board updated.

CLOSED SESSION: Commissioner Leatherman made a motion to recess to reconvene in the Board Room in closed session to discuss ongoing and threatened litigation, contractual matters and personnel issues. The motion was seconded by Commissioner Simpson and all favored. The Board reconvened in closed session and discussed the above referenced items with no action being taken. Upon a motion by Commissioner Simpson and seconded by Commissioner Leatherman the Board unanimously voted to return to regular session.

SHERIFF'S DEPARTMENT PRE-GRANT APPLICATION: Commissioner Leatherman made a motion to authorize the Sheriff's Department to submit grant pre-applications for continuation of the Multiple Agency Narcotics Unit. The motion was seconded by Commissioner Bryson and all favored.

PROPERTY PURCHASE FROM NIKAWSI FOUNDATION: Commissioner Simpson made a motion to enter into a contract with Nikawsi Foundation for purchase of 1.76 acres, a portion of the Wiggins tract at \$26,500 to be paid from Cleanwater Management Trust funds.

FOUTS EASEMENT GIFT: The County Attorney reported Roy and Lillian Fouts wish to make a gift of an easement valued at \$5,000 to the County. Upon a motion by Commissioner Leatherman and seconded by Commissioner Simpson the Board unanimously voted to accept the gift.

PROPERTY PURCHASES FROM DUKE POWER: Before action on this item Chairman West requested permission to abstain in order to avoid a conflict of interest. Permission was unanimously granted upon a motion by Commissioner Bryson and seconded by Commissioner Leatherman. Upon a motion by Commissioner Simpson and seconded by Commissioner Bryson the Board unanimously voted, with Chairman West abstaining, to approve the purchase from Duke Power Company the following two tracts of land: 8.39 acres known at the old airport property at \$ 80,000 and 0.765 acres known as the Waterwheel property at \$166,000. It was noted funding for the purchase will be from the Cleanwater Management Trust and sewer project funding.

MAPPING CONTRACT: Commissioner Bryson made a motion to authorize entering into a contract with Carolina Resource Mapping for aerial photography and digital orthophoto base mapping of the county at a total project cost of \$124,902. The motion was seconded by Commissioner Leatherman and all favored. Also included in the motion was authorization for the Chairman and County Manager to execute the necessary documents.

NIKWASI FOUNDATION: Filling the two vacancies on the Nikawsi Foundation which are to be filled by commissioners was discussed and Commissioner Simpson made a motion to designate the chairman and vice chairman positions to fill the vacancies. The motion was seconded by Commissioner Leatherman and all favored.

RECESS: The meeting was recessed until 6 p.m. on February 17th in the Board Room with a note that the February 10th joint meeting with the Town of Highlands had been duly noticed.

Sam K. Greenwood, County Manager
Ex Officio Clerk to the Board
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Mark B. West
Board Chairman