

MACON COUNTY BOARD OF COMMISSIONERS  
SEPTEMBER 8, 2003  
MINUTES

Chairman West convened the meeting 6 p.m. All Board Members, the County Manager, County Attorney, Deputy Clerk, County Finance Director, members of the news media and interested citizens were present. Rev. John Makinson from Franklin Covenant Church gave the invocation.

CDBG - PUBLIC HEARING: Chairman West immediately recessed the regular meeting and convened the second public hearing, as noticed, for comment on obtaining a 2004 CDBG scattered site rehabilitation grant. No one wished to comment, the public hearing was adjourned and the Board reconvened in regular session.

MINUTES: Upon a motion by Commissioner Leatherman and seconded by Commissioner Bryson the Board unanimously voted to approve the minutes from the August 4th and 25th meetings as submitted.

ADDITIONS/ADJUSTMENTS TO THE AGENDA: The Board agreed to add the following items to the agenda: Commissioner Simpson requested an item be added to personnel (agenda item #15) and that item #15 be considered after closed session, add surplus property as 17(a), funding request from the State of Franklin as 17(b), request from Board of Education 17(c) and an interlocal agreement with the Town of Franklin as item 17(d).

CELL TOWER APPLICATION - PUBLIC HEARING: Chairman West recessed the regular meeting at 6:05 p.m. to convene a public hearing on a cell tower application from Cingular Wireless AAT Communications/Cingular Wireless. Joe Stark, Director of Planning & Development and Jonathon Yates from Cingular explained the tower would be located on the property of Gregory D. Hoover at 151 Mi Mountain Road. Mr. Stark advised approximately twenty-three adjoining property owners had been notified by mail with no responses. No one wished to speak during the hearing and the hearing was adjourned. The Board reconvened in public session. Mr. Stark explained no action was necessary unless the Commissioners wish to exercise the authority to require special conditions in order to make the tower more compatible with surrounding property as outlined in the county ordinance. No action was taken at this time.

SOUTHWESTERN COMMUNITY COLLEGE (SCC): George Stanley, Gene Couch and Dwight Wiggins gave an update on SCC expansion and facilities noting that Bowers, Ellis and Watson Architectural Firm of Asheville has been selected as the architect firm to design the Macon Campus. Mr. Stanley presented three proposed designs for the campus stating that no decision has been made. Also present were local representatives on the SCC Board of Trustees. Appreciation was expressed to the county for their support of SCC. No action was necessary.

PUBLIC SESSION: Narella Kirkland stated she loves Macon County, expressed concerns about recent salary increases for certain county employees and volunteered to coordinate planting trees on Highway 28 north near Lee Tallent Road to hide the junk yard nearby.

NORTHLAND CABLE FRANCHISE: Upon a motion by Commissioner Bryson and seconded by Commissioner Simpson the Board unanimously approved the second reading of the cablevision franchise with Northland Cable for service in the Highlands area. (Attachment #1)

AIRPORT HAZARD ORDINANCE: Airport Authority Chairman Milles Gregory and Engineer Gary Varga were present to answer questions concerning the proposed Airport Hazard Ordinance which would regulate and restrict the height of structures and objects of natural growth and otherwise regulate the use of property in the vicinity of the Macon County Airport. Mr. Varga assured the Board that, most likely, the ordinance would not restrict residential development and generally stated that one of the few things that could be affected by the ordinance would be cell towers. Upon a motion by Commissioner Shepherd and seconded by Commissioner Bryson the Board unanimously voted to approve the first reading of the ordinance and to schedule a public hearing for 6:05 p.m. on October 6, 2003. (A copy of the proposed ordinance is on file in the Planning Department and the County Manager's Office.)

EMERGENCY MANAGEMENT: Emergency Management Director Warren Cabe

requested consideration of a resolution requesting the continued allowance of volunteer fire department members to operate certain emergency services vehicles per attachment #2. Mr. Cabe explained members who drive emergency vehicles are already required to take special training. Upon a motion by Commissioner Bryson and seconded by Commissioner Leatherman the Board unanimously voted to adopt the resolution as presented changing the word "and" to "or" in the final paragraph.

**HOLIDAY SCHEDULE:** After a brief discussion Commissioner Shepherd made a motion to adopt the State Holiday schedule as the County Holiday schedule effective January 1, 2004. The motion was seconded by Commissioner Leatherman and all favored.

**APPOINTMENTS:** Rest/Nursing Home Advisory Committee - Upon a motion by Commissioner Simpson and seconded by Commissioner Leatherman the Board unanimously voted to accept the recommendation to waive term limits for Gene Hawkins and Merritt Fouts on the Rest/Nursing Home Advisory Committee and reappoint them along with Karen Wiseman from the Department on Aging for three year terms to expire August 31, 2006. Transportation Advisory Committee - Action to replace Jennie Neal on the Transportation Advisory Committee was tabled to determine if she is the Nantahala representative and if so try to find a replacement from the Nantahala Community.

**TAX RELEASES:** The County Attorney questioned tax releases 201 through 206 and recommended approval of releases 1 through 200 and 207 through 209 in the amount of \$59,755.58 per the computer print-out presented. Upon motion by Commissioner Leatherman and seconded by Commissioner Shepherd the Board unanimously voted to approve releases as recommended by the Attorney. (A computer printout of releases is on file in the Tax Department and the County Manager's Office.)

**FINANCE:** The following budget revisions were unanimously approved unless otherwise stated: revision #17, upon motion by Commissioner Bryson and seconded by Commissioner Simpson passed four to one with Commissioner Leatherman opposing, reducing the Board of Elections budget by \$31,233 for personnel changes; revision #18, upon motion by Commissioner Leatherman and seconded by Commissioner Shepherd, appropriating \$6,882 additional funding for surveillance contracts in the Sheriff's Department; revision #19, upon motion by Commissioner Simpson and seconded by Commissioner Leatherman, appropriating \$39,000 FEMA funding for disaster planning contract; revision #20, upon motion by Commissioner Leatherman and seconded by Commissioner Simpson, appropriating \$16,200 Medicaid cost settlement funds for the Health Department; revision #21, upon motion by Commissioner Shepherd and seconded by Commissioner Simpson, appropriating \$4,448 prior year Smart Start funds in the Health Department; revision #22, upon motion by Commissioner Simpson and seconded by Commissioner Shepherd, appropriating Tobacco Wellness Grant receipts from prior year and adjusting FY 2004 funding; revision #23, upon motion by Commissioner Bryson and seconded by Commissioner Leatherman, appropriating \$1,953 BCCCP funds in the Health Department; revision #24, upon motion by Commissioner Leatherman and seconded by Commissioner Simpson, appropriating \$692 prior year receipts from car seat rentals and adjusting current year budget in the Health Department; revision #25, upon motion by Commissioner Shepherd and seconded by Commissioner Simpson, appropriating \$5,000 funding from the NC Trails Grant; revision #26, upon motion by Commissioner Bryson and seconded by Commissioner Simpson, appropriating ROAP funds of \$773; revision #27, upon motion by Commissioner Shepherd and seconded by Commissioner Leatherman, appropriating \$168,615 DSS TANF funding; revision #28, upon motion by Commissioner Simpson and seconded by Commissioner Leatherman, appropriating \$700,000 for Macon County Schools, revision #29, upon motion by Commissioner Shepherd and seconded by Commissioner Bryson, appropriating drug forfeitures and reimbursement funds for August, 2003 of \$34,988; revision #30, upon motion by Commissioner Leatherman and seconded by Commissioner Shepherd, appropriating \$10 restitution check from Clay County CSC; revision #31, upon motion by Commissioner Bryson and seconded by Commissioner Simpson, appropriating \$60,193 in E-911 to complete the Carolina Resource Mapping contract; revision #32, upon motion by Commissioner Bryson and seconded by Commissioner Leatherman, appropriating \$17,000 Medicaid cost settlement funds in the Health Department; revision #33, upon motion by Commissioner Shepherd and seconded by Commissioner Simpson, appropriating \$437 interest earnings in School Package A; revision #34, upon motion by Commissioner Leatherman and seconded by Commissioner Simpson, appropriating \$411 in the LBJ Water/Sewer project for utilities; revision #35, upon motion by Commissioner Shepherd and seconded by Commissioner Leatherman, appropriating interest earnings and contingency for expenditures in the 441-South Water/Sewer capital project; revision

#36, upon motion by Commissioner Simpson and seconded by Commissioner Shepherd, appropriating \$146 interest earnings in School Package B; and revision #37, upon motion by Commissioner Bryson and seconded by Commissioner Simpson appropriating \$129,800 addition for engineering services in the Cartoogechaye Sewer capital project. (Note: revisions with corresponding numbers are attached.)

**SURPLUS PROPERTY:** Upon a motion by Commissioner Simpson and seconded by Commissioner Leatherman vehicles on the attached list were declared surplus and authorized to be sold at public auction on September 20th. (Attachment #3)

**STATE OF FRANKLIN FUNDING:** A request from the State of Franklin Health Council allocation of at least \$6,000 to help fund 47 senior aid positions was discussed. It was noted in previous years the Community Funding Pool had approved funding but did not recommend any funding for FY 2003/04. Commissioner Bryson stated this was an important project for senior citizens and made a motion to fund the \$6,000 from Contingency. The motion was seconded by Commissioner Simpson and all favored.

**SCHOOL FUNDING:** Upon a motion by Commissioner Bryson and seconded by Commissioner Leatherman the Board unanimously voted to accept the recommendation from School Superintendent Rodney Shotwell and Board of Education member Donnie Edwards to amend the contract with Larry Rogers Construction by \$5,500 for additional work on the Highlands School project as outlined in the attached letter from Dr. Shotwell. (Attachment #4)

**INTERLOCAL AGREEMENT WITH TOWN:** The County Attorney reported the interlocal agreement as pertains to water/sewer projects with the Town of Franklin had been finalized, approved by the Town and was ready for County approval. Upon a motion by Commissioner Simpson and seconded by Commissioner Leatherman the Board unanimously voted to approve the agreement per attachment #5.

**CLOSED SESSION:** The County Attorney advised the Board needed to go into closed session to discuss two matters of potential litigation, one contractual matter concerning the sale of real and personal property and personnel matters. Commissioner Bryson made a motion to go into closed session to discuss recommended matters. The motion was seconded by Commissioner Leatherman and all favored. During closed session the above referenced items were discussed with no action being taken. Upon motion by Commissioner Simpson and seconded by Commissioner Shepherd the Board unanimously voted to return to regular session:

**PERSONNEL:** Merit - In accordance with policy, the County Manager presented for approval a list of merit increases for individuals reporting directly to him and for informational purposes a list of other employees recommended by department heads for merit explaining merit is one-percent (1%) of the annual salary and is a one time payment. Upon a motion by Commissioner Simpson and seconded by Commissioner Shepherd the Board unanimously voted to approve the merit recommendations for individuals reporting directly to the County Manager per attachment #6. Register of Deeds, Sheriff and Veterans Service - Recommendations for salary adjustments for the Register of Deeds, Sheriff and Veterans Service Officer were presented for discussion. Deeds - Commissioner Shepherd made a motion to increase the Register of Deeds salary to \$42,000 per year. The motion was seconded by Commissioner Leatherman and passed four to one with Commissioner Simpson opposing. Sheriff - Commissioner Leatherman made a motion to increase the Sheriff's salary to \$51,150 annually. The motion was seconded by Commissioner Bryson and passed four to one with Commissioner Simpson opposing. Veterans Service - Commissioner Leatherman made a motion to approve a two grade increase at five percent (5%) per grade for the Veterans Service Officer setting the grade as 27 at a salary of \$27,736.50. The motion was seconded by Commissioner Shepherd and passed four to one with Commissioner Simpson opposing. Salary Increases - Commissioner Simpson stated he had requested this item be added to the agenda and although the recent salary increases were discussed at the August 25th meeting, he still questioned the magnitude, how and why these raises were given. He stated he felt if the Board let the raises stand they would undermine the trust of the people and therefore made a motion that the Board rescind non-departmental raises, those not included in the budget, and turn them over to the Human Resource Officer, let him research job descriptions and compensation for those position and come back to the Board with a recommendation. Commissioner Leatherman seconded the motion for sake of discussion stating he agreed with some of Commissioner Simpson's concerns but felt the Board, through actions and conversation, have passed along their displeasure with the situation and have amended the policy to insure this doesn't happen in the future. After further discussion, Chairman West called for the vote and the motion failed one to four

with Chairman West, Commissioners Bryson, Leatherman and Shepherd opposing.

ADJOURNMENT: Upon a motion by Commissioner Bryson and seconded by Commissioner Simpson the Board unanimously voted to adjourn.

---

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

---

Mark B. West  
Board Chairman

Minutes  
09/08/03  
Page #1