

MACON COUNTY BOARD OF COMMISSIONERS  
NOVEMBER 6, 2006  
MINUTES

Chairman Bryson convened the meeting at 6 p.m. All Board Members, The County Manager, Deputy Clerk, County Finance Director, members of the news media and interested citizens were present. Commissioner Shepherd gave the invocation. Chairman Bryson welcomed everyone present.

MINUTES: Upon motion by Commissioner Shepherd and seconded by Commissioner Simpson the minutes of the October 2nd and 16th meetings were unanimously approved as submitted.

PUBLIC SESSION:

(Note: the high rise project referred to is a proposed ten-story high rise condominium complex located off Highway 64 just outside the Highlands ETJ area.)

Bobby Houston representing the Highlands Fire and Rescue Department expressed concerns about providing fire protection to the proposed high rise condominium unit. Mr. Houston said the Department estimates training, purchase of equipment and a building to house additional equipment necessary to provide adequate fire protection to the high rise would cost in excess of two million dollars.

Hillrie Quinn stated she is a resident and owns property on Buck Creek Road near the proposed high rise, expressed her opposition to the proposed high rise and requested the Board to consider a moratorium on high rise constructions until further study can be done.

Mercedes Heller, member of the Highlands/Cashiers Land Trust, explained the purpose of the Trust and stated the construction of the proposed high rise is in conflict with their purpose.

Elaine Whitehurst stated she is one of fifty-five women from the Laurel Garden Club who spend a tremendous amount of time studying how to take care of the fragile eco-system around Highlands and the proposed high rise "scares them to death". Ms. Whitehurst added that if allowed we will be smothered with high rise development and requested imposing a moratorium until an ordinance can be enacted.

Pat Boyd requested the Board to look at ways for the community to grow without destroying the environmental system that brought people to the area and to impose a moratorium.

Eliner Metzger stated she has been a resident of Highlands for twenty-six years and urged a moratorium on high rise development.

Lee Hodges expressed appreciation to the Board stating they have a hard job to do. She read a letter from Karen Hauk opposing the proposed high rise and discussing how the project would negatively impact the quality of life in the area.

Bill Crawford stated he is a Franklin resident and hoped the Board would pass a moratorium on high rise development

Debby Boots reiterated comments on the proposed high rise and urged passage of a moratorium.

Mike Kaiser stated he is a full-time resident of Highlands, came here because of the beauty of the area, is very disheartened about the proposed high rise and felt the Board had a responsibility to be stewards of the land.

Ginny Harris discussed the precedent of low profile homes in the area for

hundreds of years and encouraged a moratorium on construction to three stories.

Patrick Brogan encouraged a moratorium and asked the Board to think of sacrifice compared to what we have.

Pub Brogan stated she came to the area for the beauty and requested the Board to help keep it like it is.

TRANSIT: Chairman Bryson explained there was a public hearing scheduled for 6:30 p.m. and recessed the regular meeting, as noticed, to convene the hearing on the County's proposed Community Transportation Program Application to be submitted to NCDOT. Transit Director Kim Angel explained the funding request stating the total request is \$172,317 with a \$25,538 local match. No one wished to speak at the hearing. The hearing was adjourned and the Board reconvened in regular session. Upon motion by Commissioner Leatherman and seconded by Commissioner Shepherd the Board unanimously voted to adopted the attached resolution authorizing application for Community Transportation Program funding, to enter into agreement with NCDOT and provide necessary assurances. (Attachment #1)

Charlie Cowie told the Board his problems with his signs had been fixed but his landfill fee went from \$134 a year to \$1500 year. Mr. Cowie asked the Board to look at the change and see if that was right.

Anna Bradley stated there is no place in Macon County for a ten story building and requested, out of respect for land and other citizens, imposition of a moratorium.

Beverly Howell stated she is a fourth generation Floridian and has seen what development did to areas in Florida. She asked the Board to think about the future of the mountains.

Ann Maxwell stated she lives four and one-half miles from the proposed high rise project and feels proper planning is needed before allowing such a huge project.

Cynthia Strain stated she has been a county resident for twenty-five years and she doesn't think there is anything friendly about a ten story building any where in Macon County.

Susan Erwin stated she supported the idea that we do not want a ten story building anywhere in Macon County. She informed the Board that she had attended a Smart Growth Seminar in Mississippi along with the County Planner and she would like to apply some of those same things here.

Bill and Sharon Vanhorn stated they are four year residents off Sugarfork Road and are against the ten story building due to water, fire issues, etc. and requested consideration of a moratorium.

Bob Wright representing seventy-five property owners of the Cold Springs Community expressed their opposition to high rise construction stating the N.C. Ridge Law does not protect our mountains as thought. Mr. Wright requested adoption of a six month moratorium on high rise construction and an amendment to the High Impact Ordinance to regulate building height to three stories not to exceed forty-five feet.

DISTRICT ATTORNEY: Domestic violence issues - District Attorney Mike Bonfoey addressed five points concerning domestic violence: shelter security, a safe room at the courthouse, resolutions in support of change in the law regarding the death penalty in domestic violence related homicides and trespassing and increased patrols by local authorities. Commissioner Leatherman made a motion to adopt the attached resolution in support of proposed amendments to N.C.G.S. 15A-2000(e). The motion was seconded by Commissioner Simpson and all favored. (Attachment #2) Cost estimates for upgrade of security at the local shelter and offices were distributed and Commissioner Leatherman was designated

as the liaison to work with the District Attorney and REACH to review the proposals.

Space allocations - County Manager Greenwood presented a proposal for reorganizing space on the fourth floor to provide a secure waiting area for domestic violence cases and a more secure work area for the district attorney's office staff. Mr. Greenwood stated county personnel will perform the remodeling work at an estimated cost not to exceed \$25,000. Upon motion by Commissioner Shepherd and seconded by Commissioner Simpson the Board unanimously voted to approve the plan and approve transfer of \$25,000 from construction reserve to cover the costs.

HUMAN RESOURCES: Assistant Manager Wilma Anderson and the County Personnel Committee presented a Performance Evaluation Policy for evaluating employees. Upon motion by Commissioner Davis and seconded by Commissioner Leatherman the Board unanimously voted to adopted the Policy as presented. (Attachment #3)

SOLID WASTE: Solid Waste Director Chris Stahl presented a recommendation that the Board rescind the Charge Account Policy adopted on November 3, 1998 and adopt a policy allowing the Solid Waste Administrator to establish and collect on charge accounts in a commercially acceptable manner. Commissioner Shepherd made a motion to rescind the old policy adopted November 3, 1998. The motion was seconded by Commissioner Davis and after discussion was withdrawn. After further discussion Commissioner Davis made a motion to develop a new policy allowing more flexibility in collections. The motion was seconded by Commissioner Shepherd and later withdrawn after which Commissioner Shepherd made a motion to rescind the old policy when a new policy is developed and adopted. The motion was seconded by Commissioner Davis and all favored.

NCDOT/CARTOOGECHAYE SCHOOL: A request from Senator John Snow requesting use of NCDOT Discretionary Funds for installation of school safety flashers at the entrance of Cartoogechaye School was presented. Upon motion by Commissioner Simpson and seconded by Commissioner Leatherman the Board unanimously voted to endorse the project and adopt the attached resolution. (Attachment #4)

ENVIRONMENTAL HEALTH: Barry Patterson, Environmental Health Supervisor, gave a status report on septic applications stating the months of November and December should demonstrate significant progress in reducing the application backlog and he was still projecting to be caught up by March, 2007 with a two or three week backlog. No action was necessary.

SOUTHWESTERN COMMUNITY COLLEGE: Expansion-County Manager Greenwood informed the Board that SCC had requested a cost estimate for additional space at the SCC Law Enforcement Center located at the County Industrial Park. He explained the space would include a 60x40 room with 10x40 storage area to meet requirements set forth in the Basic Law Enforcement Training guide. He stated the estimate is \$86,455 with work performed by the county crew with sub-out of specific trade work by informal bids. He added use of the facility is increasing dramatically and recommended approval of the project with a budget of, not to exceed, \$95,000 which would include an approximate 10% contingency. Commissioner Simpson made a motion to approve the project and allocate the funds from construction reserve. The motion was seconded by Commissioner Shepherd and all favored.

SCC Campus Construction contingency - A request from SCC for an additional appropriation of \$50,000 for contingency on the SCC/Macon Campus project was presented. After discussion Commissioner Davis made a motion to approve up to \$50,000 from county contingency on a case by case basis with delegation of approval authority to the Board Chairman and County Manager. The motion was seconded by Commissioner Leatherman and all favored. It was noted the funds would not be transferred to the SCC with no control.

CONSERVATION EASEMENTS: County Manager Greenwood informed the Board that in exchange for granting conservation easements on certain environmentally sensitive county owned property, the Sate will expend DOT funds to restore

wetland or degraded property. He added that the County has two areas which would benefit from this program: Crawford Branch from the intersection of Depot Street and East Main to the Little Tennessee and the County landfill property. Commissioner Simpson made a motion to approve notice of intent to authorize conservation easements to the State of North Carolina for mitigation projects on the two properties as presented. The motion was seconded by Commissioner Shepherd and all favored.

HOUSING/SECTION 8 - HUD: Discussion on the County requesting HUD to transfer Section 8 Housing Programs to the County was continued from the previous meeting. Commissioner Shepherd made a motion to adopt the attached resolution requesting the U.S. Department of Housing and Urban Development to transfer the Section 8 program in Macon County to Macon County Government as the Public Housing Agency. The motion was seconded by Commissioner Leatherman and a lengthy discussion followed. Commissioner Simpson stated as one of the liaisons to the Macon Program for Progress (MPP) Board he saw considerable changes made by MPP and could see no reason for the County to take HUD (Section 8 Housing) into the County. Commissioners Davis and Leatherman both expressed concerns that the situation be resolved to best serve the citizens of Macon County. Commissioner Shepherd stated this was something the County started over a year ago with the intent of taking over all the housing programs from MPP, it is something that needs to be done and he wanted to see that happen before he goes off the Board. The County Manager stated delaying action would not change the facts or numbers. He added the advantages to the County are clear; this is something the County needs to do and requested his comments be entered into the record. Chairman Bryson called for the vote and the motion passed four to one with Commissioner Simpson opposing. (Attachment #5)

APPOINTMENTS: Appointments were delayed until a later meeting.

TAX DEPARTMENT: Refunds: Commissioner Davis made a motion to approve a refund to Charles D. Ledford (Account #47603) in the amount of \$385.37 for a mobile home that was double listed as personal property and real estate for years 2002 through 2005. The motion was seconded by Commissioner Simpson and all favored. Releases - Upon motion by Commissioner Simpson and seconded by Commissioner Leatherman the Board unanimously voted to approve tax releases in the amount of \$8,826.92 as submitted. (Note: a print-out of releases is on file in the Tax Collectors Office and the County Manager's Office.)

FINANCE: Budget revisions - The following budget revisions were unanimously approved:  
revision #45, upon motion by Commissioner Leatherman and seconded by Commissioner Shepherd, adjusting Criminal Justice Partnership funding by \$1,977;  
revision #46, upon motion by Commissioner Simpson and seconded by Commissioner Davis, appropriating \$500 increase in state funds for Restaurant Heart Health survey;  
revision #47, upon motion by Commissioner Simpson and seconded by Commissioner Shepherd, appropriating \$8,551 increase in state funds for Health Promotion;  
revision #48, upon motion by Commissioner Simpson and seconded by Commissioner Shepherd, appropriating \$3,757 increase in state funds for Family Planning;  
revision #49, upon motion by Commissioner Leatherman and seconded by Commissioner Simpson, appropriating \$2,416 controlled substance tax funds received from the State; and  
revision #50, upon motion by Commissioner Shepherd and seconded by Commissioner Davis, appropriating \$8,092 TANF funds. (Note: revisions with corresponding numbers attached.)

Resolutions - (Financing) Upon motion by Commissioner Leatherman and seconded by Commissioner Shepherd the Board unanimously voted to adopt the attached resolution authorizing the filling of an application for approval of a financing agreement authorized by NCGS 160A-20. (Attachment # 6)  
(Reimbursement) Commissioner Davis made a motion to adopt the attached resolution of intent to reimburse itself from the proceeds of financings approved by the previous financing resolution. The motion was seconded by Commissioner Leatherman and all favored. (Attachment #7)

CLOSED SESSION: Commissioner Leatherman made a motion to go into closed session to discuss contractual and personnel issues. The motion was seconded by Commissioner Simpson 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.

PROPERTY ACQUISITION: Commissioner Shepherd made a motion to authorize Commissioner Davis to negotiate the property acquisition as discussed in closed session. The motion was seconded by Commissioner Simpson and all favored.

EMPLOYEE BONUS: County Manager Greenwood presented a recommendation that all permanent county employees be given an additional one percent bonus the first of December bringing the total bonus to two percent of current annual salary. Mr. Greenwood explained this would make up for the fact the county did not budget the annual cost of living adjustment at the state level. Commissioner Simpson made a motion to authorize an additional one percent payment as recommended to all permanent employees excluding the Board of Commissioners. The motion was seconded by Commissioner Leatherman and all favored.

ADJOURNMENT: Upon motion by Commissioner Simpson the meeting was adjourned.

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Sam K. Greenwood, County Manager  
Clerk to the Board

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Daniel A. Bryson  
Board Chairman

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