

MACON COUNTY BOARD OF COMMISSIONERS
AUGUST 13, 2007
MINUTES

Chairman Leatherman convened the meeting at 6 p.m. All Board Members, the County Manager, Deputy Clerk, County Attorney, County Finance Director, members of the news media and interested citizens were present. Rev. Duane Maracle Pastor of the Franklin Seven Day Adventist Church gave the invocation and Chairman Leatherman welcomed everyone present.

RECOGNITION OF FRANKLIN GIRLS LITTLE LEAGUE: Chairman Leatherman recognized the Franklin Girls Little League All Stars who were District 5 and North Carolina State Champions. Commissioners Davis and Simpson assisted in presenting the team, coach and manager with certificates of achievement. Team members were: Kaitlin Bishop, Kaitlin Sanders, Haylee Overholt, Chelsea Stanfield, Anissa Steele, Lauren Penland, Amy Underwood, Amber Cook, Kendra Duvall, Deena Gibson and Kristen Cabe, Manager Bobby Bishop and Coach Karlene Cabe.

MINUTES: Upon motion by Commissioner Simpson and seconded by Commissioner Davis the minutes of the July 16th, 19th and 22nd meetings were approved as submitted with corrections being made on pages two and four of the July 16th minutes to read "moratorium on issuance of building permits for construction of recreational vehicle parks...." ..

PUBLIC SESSION: Narelle Kirkland stated running the county is a big responsibility and she appreciated the job the Board does. She stated there are two issues on the proposed bond referendum that concerns her: (1) the proposed community center with two pools stating with the rise of MRSA disease, which usually affects older people and for which there is no cure, the pools may be empty down the road due to health concerns and (2) the proposed school projects stating classrooms as "our" age group knew them have changed and classrooms as we know now will change. She asked to consider adding on at Iotla and renovating to bring our students up to date.

Kurt Volker stated he had forwarded the Board and County Manager an e-mail outlining his background in city/county government and especially the promotion of recreation bonds. He offered the Board his expertise in promoting the upcoming referendum stating he wanted the opportunity to say hello and express his willingness to help.

LAND TRANSFER TAX: The County Manager presented information on action taken by the General Assembly allowing counties to conduct an advisory referendum on the question of whether to levy a local land transfer tax up to a rate of four-tenths percent in increments of one-tenth percent (Session Law 2007-323). The Manager noted the tax could be as much as \$2.3 million a year. The Board discussed the possibility that proceeds from the tax might provide a source for debt service on the bond issuance. The County Attorney advised the Board that the legislation provides that the proceeds may be used for any lawful purpose. Upon motion by Commissioner Simpson and seconded by Commissioner Davis the Board unanimously voted to adopt the "Resolution Calling a Special Advisory Referendum Concerning the Levy of a Land Transfer Tax", placing the matter on the November ballot. Attachment #1.

After further discussion Commissioner Beale made a motion stating that any funds from the levy of the land transfer tax be applied solely to retire debt from the issuance of bonds. The motion was seconded by Commissioner Simpson and after discussion was rescinded. After further discussion, Commissioner Beale made a motion stating the intention of the Board is to use any proceeds from a land transfer tax to minimize any increase in the ad valorem tax rate due to capital financing costs and/or debt service on bonds. Commissioner Simpson seconded the motion. Discussion followed that the spirit of the motion reflects that the public and future boards understand that this is a good faith effort to be used in place of an ad valorem tax increase not in addition to.

The motion passed unanimously.

Chairman Leatherman explained this four-tenths percent transfer tax equates to around 2.4 cents on the tax rate.

ANIMAL CONTROL: The County Manager presented information on the County building a shelter or impoundment facility for dogs and cats and suggested building an impound facility on county property to the standards as now adopted by the State. He presented a preliminary layout for a four to five thousand square feet facility at an estimated cost of \$30 per square foot excluding equipment and site improvements at a not to exceed cost of \$350,000. Mr. Greenwood explained the county has a two acre tract available which was unidentified. After discussion Commissioner Simpson made a motion to accept the recommendation as presented per attachment #2 and authorize appropriation of up to \$350,000 from fund balance to fund the project. Commissioner Simpson, liaison to the Animal Control Committee, stated an ordinance will need to be adopted before the facility opens and the Committee has an ordinance almost ready for presentation. He added that based on information gathered by the Committee estimated cost of operating a shelter will be approximately \$150,000 plus personnel.

Mr. Greenwood explained the facility will need to be a minimum holding shelter, not an adoptive shelter, and that no matter what the fees are there will be a cost increase to the county.

TAX DEPARTMENT: Settlement report - Upon motion by Commissioner Simpson and seconded by Commissioner Beale the Board unanimously voted to accept the tax settlement report for Fiscal Year 2006-2007 as presented by Tax Collector Margaret Perry per attachment #3.

Tax releases - Upon motion by Commissioner Davis and seconded by Commissioner Simpson the Board unanimously voted to approve tax releases in the amount of \$854.76 as presented. (Note: A printout of tax releases is on file in the Tax Collectors Office and the County Manager's Office.)

PROPOSED BOND REFERENDUM: Chairman Leatherman introduced a resolution making certain findings and determinations, authorizing the filing of an application with the Local Government Commission and appointing bond counsel in connection with the proposed issuance of school bonds, public buildings bonds, community college bonds, parks and recreational facilities bonds and library bonds by the County. Upon motion by Commissioner Davis and seconded by Commissioner Beale the Board unanimously voted to adopt the resolution.

An order authorizing \$42,100,000 school bonds was introduced and unanimously passed upon motion by Commissioner Davis and seconded by Commissioner Beale.

An order authorizing \$6,500,000 public buildings bonds was introduced and unanimously passed upon motion by Commissioner Beale and seconded by Commissioner Simpson.

An order authorizing \$3,000,000 community college bonds was introduced and passed unanimously upon motion by Commissioner Simpson and seconded by Commissioner Davis.

An order authorizing \$9,400,000 parks and recreational facility bonds was introduced and passed unanimously upon motion by Commissioner Simpson and seconded by Commissioner Beale.

An order authorizing \$3,000,000 in library bonds was introduced and passed unanimously upon motion by Commissioner Simpson and seconded by Commissioner McClellan.

On a motion duly made by Commissioner Simpson, seconded by Commissioner Davis, the Board unanimously voted to schedule a public hearing on the foregoing orders on September 10, 2007 at 6 p.m.

See attachment #4 for resolution and orders.

Reimbursement resolution - Upon motion by Commissioner Davis and seconded by Commissioner Simpson the Board unanimously voted to adopt a resolution declaring its official intent to reimburse certain expenditures with proceeds of debt to be incurred by the County as provided by U.S. Department of Treasury regulations per attachment #5.

FINANCE: LGC/QZAB Financing - Upon motion by Commissioner Simpson and seconded by Commissioner Beale the Board unanimously voted to adopt a resolution authorizing the filing of an application for approval of financing agreement authorized by general statutes/qualified Zone Academy Bonds (QZAB) allocation for East Franklin renovations per attachment #6.

Budget revisions - The following budget revisions were unanimously approved: revision #11, upon motion by Commissioner Davis and seconded by Commissioner Beale, appropriating \$100,000 Kate B. Reynolds grant for Adult Health Clinic; revision #12, upon motion by Commissioner Simpson and seconded by Commissioner Davis, appropriating \$2,000 Macon Bank Wellness fund received in prior year; revision #13, upon motion by Commissioner Simpson and seconded by Commissioner McClellan, appropriating \$30,000 Medicaid cost settlement revenue over budget for 06/07 and revision #14, upon motion by Commissioner Beale and seconded by Commissioner Simpson, allocating additional ROAP funds from NCDOT. (Note: revisions with corresponding numbers attached.)

PERSONNEL: Health Department - The County Manager reported the Health Board had hired a new health director who should be reporting to work on August 27th.

COUNTY MANAGER: County Manager Greenwood submitted his formal notice that his retirement would be effective December 31, 2007 and suggest a continuation meeting for a work session to prepare advertisement and discuss the qualifications, process, etc. the Board wishes to utilize in recruitment of a manager.

Commissioner McClellan made a motion to accept Mr. Greenwood's retirement date of December 31, 2007. The motion was seconded by Commissioner Simpson and all favored. It was agreed to continue the meeting to 6 p.m. on August 20, 2007, to discuss handling of the recruitment process and advertisement.

CLOSED SESSION: Upon motion by Commissioner Davis and seconded by Commissioner Simpson the Board unanimously voted to go into closed session to discuss property acquisition.. The referenced matter was discussed with action being taken. Minutes were sealed and will be opened when appropriate. Upon motion by Commissioner Davis and seconded by Commissioner Simpson the Board unanimously voted to go into closed session under the attorney-client privilege to discuss a legal matter with the County Attorney. Minutes were sealed.

Upon motion by Commissioner Simpson and seconded by Commissioner McClellan the Board returned to regular session.

WELCH PROPERTY: It was reported that Michael Welch, owner of the 2.18 acres the County has been negotiating to purchase for use as a buffer at the old landfill, is not willing to pay for a survey and it was recommended the County obtain a survey. Upon motion by Commissioner Davis and seconded by Commissioner Simpson the Board unanimously voted to authorize payment for a survey and, if the survey shows no problem, to authorize purchase at \$57,500 as negotiated.

SCHOOLS: Payment for architect fees for the two new schools and the East Franklin renovations was discussed and upon motion by Commissioner Beale, seconded by Commissioner Davis, the Board unanimously voted to authorize the County Manager to make payment for the fees per submission of a payment schedule. It was noted the County could be reimbursed from bond proceeds.

OWENS PROPERTY: The Board had previously discussed purchasing certain property for construction of a school near Macon Middle on Wells Grove Road and Commissioner Beale made a motion to authorize options to purchase those properties from Nellie and Ernie Sanders and Gary and Evelyn Owens located on Wells Grove Road per the attached options. (Attachment #7)

The motion was seconded by Commissioner Simpson and all favored.

RECESS: Upon motion by Commissioner Simpson, seconded by Commissioner Davis the meeting was recessed until 6 p.m. on August 20th.

Sam K. Greenwood, County Manager
Clerk to the Board

Charles D. Leatherman
Board Chairman

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