

MACON COUNTY BOARD OF COMMISSIONERS
MAY 14, 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. Joanna Reis from the Church of the Nazarene gave the invocation and Chairman Leatherman welcomed everyone present.

ADDITIONS/ADJUSTMENTS: The Board unanimously voted to add the following items to the agenda: upon motion by Commissioner Beale and seconded by Commissioner Simpson, item #14, closed session to discuss land acquisition; upon motion by Commissioner Davis and seconded by Commissioner Beale, item #8C, land sales tax resolution; upon motion by Commissioner McClellan and seconded by Commissioner Simpson, item #13C, Highlands recreation; and upon motion by Commissioner Simpson and seconded by Commissioner Davis, item #4A, Bob Litten /Veterans Memorial.

ASSEMBLY DAY UPDATE: Commissioners Beale, Davis and McClellan gave an update on their recent attendance at Assembly Day stating they had spoken with the County's legislative delegation discussing several items including Medicaid relief, the land transfer tax and the Safety Slope Act.

MINUTES: Commissioner Simpson made a motion to approve the minutes of the April 9th and 14th meetings as submitted. The motion was seconded by Commissioner McClellan and all favored.

PUBLIC SESSION: Don Swanson expressed appreciation for the amount of time allowed between the presentation, public hearing, and adoption of the budget, questioned school construction funding and use of lottery funds for school construction and spoke against SB#1516 especially being labeled as a sales tax because the seller, not the purchaser, pays the tax.

Delores Gresham stated she is a property owner, that property values have gone up and that could be a good thing until you look at your tax bill. She asked the Board to take it easy on the taxpayers who are all working people and do not have deep pockets by holding the tax rate to 25 mills.

Joe Mollick expressed his opposition to SB #1516 stating he doesn't feel it is justified. He requested keeping the tax rate at 25 mills and questioned where the \$30 million surplus in treasury is invested and if it is drawing the best interest. He also expressed opposition to a \$70 million bond issue.

Rich Robb stated he is worried about the fire tax and questioned who figures the millage rates for fire departments.

Gary Gaetano thanked the Board for preserving the mountains and urged use of money in reserve for schools and law enforcement.

Catherine Robb stated she understood a convention center will be part of the proposed referendum and expressed her opposition stating she did not feel the county can afford a convention center.

Harold Neely urged the Board to continue appointments to represent residents of the Highlands ETJ because otherwise people in the ETJ will not have representation. He added he thought the land transfer tax is a good idea if it keeps the tax rate low. Mr. Neely also urged a more equitable way to evaluate property stating all government, federal, state and county, needs to scale down and that government is becoming a burden.

Chairman Leatherman expressed agreement with some of Mr. Neely's comments stating the "buck stops here" (with the Board of Commissioners) and the County has the only level of government that citizens can get an audience with.

Shirley Ches, Lake Emory resident, reiterated the problem of accumulation of trash, construction debris, abandoned vehicles near her home on Lake Emory Road and stated that she had forwarded a letter to the Planning Board with her request for some type of control. Ms. Ches explained she supposed she is asking for more government but at a local level and since she has been appealing to the Board for help she has heard from other county residents who have similar problems.

Bob Lavery expressed concerns about school financing and difficulty in understanding the school budget and their budget request. Mr. Lavery also discussed charter schools and merit pay for teachers.

VETERANS MEMORIAL: Bob Litten expressed appreciation to the Board for their rapid response on the proposed Veterans Memorial in the Recreation Park stating the land survey has been done, both the local VFW and American Legion have donated \$20,000 each toward the project and a groundbreaking is being planned for June 6th, D-Day. (Note: additional action relating to park taken later in meeting.)

BUDGET PRESENTATION AND MESSAGE: Sam Greenwood, County Manager/Budget Officer, presented the proposed FY 2007/08 budget and budget message noting the budget was based on a twenty-four and one half cent (24½¢) tax rate. Copies of the budget are available for inspection at the three county libraries, at the Courthouse Annex receptionist desk and on the county's website. (Budget message - Attachment #1)

The public hearing on the budget will be held at 6 p.m. on Monday, June 4th at 6 p.m. in Courtroom A of the Courthouse.

BOND REFERENDUM PROCESS: Bond Counsel representative G. Thomas Lee from Womble Carlyle Sandridge & Rice briefed the Board on the bond referendum process including bond authorization, questions to be submitted to the voters, bond issuance, debt service requirements, interest rates, credit quality, fund balances, general economic conditions of the County and the effect of ratings. No action was necessary at this time.

ENVIRONMENTAL HEALTH: Barry Patterson gave a monthly update on the Environmental Health Division and discussed the backlog. (See Attachment #2)

ADDITION: Upon motion by Commissioner Simpson and seconded by Commissioner Davis the Board unanimously voted to add naming the veteran's park to the agenda as item #8D.

LEGAL: Gem and Mineral Society Lease - Upon motion by Commissioner Simpson and seconded by Commissioner Davis the Board unanimously voted to adopt the attached resolution authorizing a five year renewal of the lease with the Gem and Mineral Society for the old jail building. (Attachment #3)

Structure Height Ordinance - The proposed Structure Height Ordinance was presented with an explanation that before the Ordinance could be considered a public hearing would be necessary. Commissioner Simpson expressed concerns about the 4 stories or 48 foot restriction and requested clarification of the language defining "top of foundation". After discussion the County Attorney was instructed to change the 48 foot limit to 50 subject to the County Planner clarifying fire standards and if the 50 feet will not meet standards leave it at 48 feet.

Commissioner Simpson made a motion to schedule the hearing at 5 p.m. prior to the regular June meeting. The motion was seconded by Commissioner Beale and all favored. (Note: action taken later in meeting changing date of regular June meeting.)

RESOLUTIONS: Fire Department Grants - Upon motion by Commissioner Simpson and

seconded by Commissioner McClellan the Board unanimously voted to adopt the attached resolution in support of House Bill 262 and Senate Bill 238 that provides necessary, additional funds for and improves eligibility of fire departments for statewide grants. (Attachment #4)

Recycling - Commissioner Simpson stated with global warming and other environmental issues he would like to encourage recycling in the county and made a motion to proclaim June as Recycling Awareness Month in Macon County. The motion was seconded by Commissioner Beale and all favored.

Land Sales Transfer Tax: Commissioner Davis made a motion to adopt a resolution endorsing the one percent (1%) land sales transfer tax for use in Macon County, to request the Counselor to draw up a resolution and the resolution be forwarded to legislators. The motion was seconded by Commissioner Simpson and all favored.

NAMING OF VETERANS MEMORIAL PARK: Upon motion by Commissioner Simpson and seconded by Commissioner Beale the Board unanimously voted to name the recreation park the Macon County Veterans Memorial Park.

RECREATION COMMISSION: Commissioner Simpson, liaison to the recreation study committee, stated as discussed at the March, 2007 meeting the recommendation of the Recreation Master Plan for a single countywide recreation commissioner and a professional recreation administrator to manage all county recreation activities needs to be pursued. After discussion Commissioner Simpson was instructed to get with the County Manager and bring a recommendation back to the Board.

APPOINTMENTS: Term limits - The Board discussed the current two term limit for committee appointees after which Commissioner Beale, stating for continuity purposes and difficulty finding willing volunteers, he would make a motion to change term limits from two terms to four terms. After further discussion Commissioner Beale withdrew his motion and Commissioner Simpson made a motion to change term limits from two to three consecutive terms. Commissioner Davis seconded the motion which passed four to one with Commissioner McClellan opposing. (See attachment #5)

Community Funding Pool - Upon motion by Commissioner Simpson and seconded by Commissioner Davis the Board unanimously voted to reappoint Karen Wallace to the Community Funding Pool. Term will expire March 1, 2010.

Planning Board: Upon motion by Commissioner Beale and seconded by Commissioner Simpson the Board unanimously voted to reappoint Eric Pierson to the Planning Board. Term will expire April 23, 2010.

Farmland Preservation: Commissioner Simpson made a motion to reappoint Jerry Sutton to the Farmland Preservation Commission. The motion was seconded by Commissioner Beale and all favored. Term will expire May 31, 2010.

RC&D Council: Commissioner Simpson made a motion to accept the recommendation to appoint Erosion Control Officer Matt Mason to replace Josh Ward, former Erosion Control Officer, on the RC&D Council. The motion was seconded by Commissioner Beale and all favored.

Airport Authority: Commissioner Davis made a motion to accept the recommendation to reappoint Milles Gregory and Pete Haithcock to the airport Authority contingent on the County Attorney determining the legalities of the reappointments. The motion was seconded by Commissioner Beale and all favored. Terms will expire June 30, 2013.

MEETING DATES: June meeting - Upon motion by Commissioner Beale and seconded by Commissioner Simpson the Board unanimously voted to change the regular meeting from June 11th to June 18th with the public hearing on the Building Height Ordinance beginning at 5 p.m.

July meeting - Upon motion by Commissioner McClellan and seconded by Commissioner Davis the Board unanimously voted to change the July meeting from July 9th to July 16th at 6 p.m.

Budget hearing - It was noted the budget hearing is scheduled for 6 p.m. on June 4th in Courtroom A.

Work session - A budget process work session was scheduled for June 3rd at 2 p.m. at the Macon Bank Corporate Center.

TAX DEPARTMENT: Upon motion by Commissioner Simpson and seconded by Commissioner Davis the Board unanimously voted to approve tax releases in the amount of \$626.26 as submitted. (Note: A printout of tax releases is on file in the Tax Office and the County Manager's Office.)

HIGHLANDS RECREATION: A letter from the Town of Highlands dated May 8, 2007 submitting the Highlands Recreation budget for FY 06/07 and requesting release of budgeted funds was presented. After a lengthy discussion Commissioner Davis made a motion to release funds to fulfill obligation of FY 06/07 as budgeted with no funds being released until a very concise agreement, reviewed by the County Attorney, is in place. The motion was seconded by Commissioner Beale and all favored. A request for a joint meeting with the Town of Highlands was discussed with no date being set.

FINANCE: Budget revisions: The following budget revisions were unanimously approved:
revision #212, upon motion by Commissioner Simpson and seconded by Commissioner Davis, budgeting \$1,932 additional State allocation for Criminal Justice Partnership;
revision #213, upon motion by Commissioner Simpson and seconded by Commissioner Beale, appropriating \$1500 State funding increase for the Child Health Program;
revision #214, upon motion by Commissioner Beale and seconded by Commissioner Simpson, increasing IV-E Foster Care by \$50,000;
revision #215, upon motion by Commissioner Davis and seconded by Commissioner Simpson, budgeting additional revenues in Senior Services;
revision #216, upon motion by Commissioner Simpson and seconded by Commissioner Davis, increasing Adult Day Care funding by \$5,325;
revision #217, upon motion by Commissioner Davis and seconded by Commissioner Simpson, reducing Fund Balance appropriation by \$16,594;
revision #218, upon motion by Commissioner Simpson and seconded by Commissioner Beale, transferring \$250,000 to South Macon Recreation Project;
revision #219, upon motion by Commissioner Simpson and seconded by Commissioner Davis, appropriating \$876 Controlled Substance Tax; and
revision #223, upon motion by Commissioner Simpson and seconded by Commissioner Davis, appropriating \$18,645 for EMS collection fees.
(Note: revisions with corresponding numbers are attached.)

School Funding - A request from school superintendent Dan Brigman requesting release of \$140,000 Public School Capital Fund North Carolina Education Lottery for gym, track and bleacher renovations at Franklin High School was presented. It was noted use of these funds were not discussed when the project was approved at the April meeting and the County Manager reminded the Board that the Public School Building Capital Fund and lottery proceeds will be the only sizable sources for capital financing for the future other than tax increases. Upon motion by Commissioner Davis and seconded by Commissioner McClellan the Board unanimously voted to deny the request.

CLOSED SESSION: Upon motion by Commissioner Simpson and seconded by Commissioner Davis the Board unanimously voted to go into closed session to discuss land acquisition. During closed session Commissioner Beale gave an update on possible sites for school expansion as discussed with the School Board. Commissioner Beale was authorized to negotiate with the owners on the acquisition and report back to the Board. No formal action was taken and upon motion by Commissioner Simpson and seconded by Commissioner Davis the Board reconvened in regular session:

RECESS: The meeting was recessed until 2 p.m. on Sunday, June 3rd at Macon Bank Corporate Center.

Sam K. Greenwood, County Manager
Clerk to the Board

Charles D. Leatherman
Board Chairman

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