

MACON COUNTY BOARD OF COMMISSIONERS  
JANUARY 26, 2009  
MINUTES

CALL TO ORDER: Chairman Beale convened the meeting at 2 p.m. and welcomed everyone present. All Board Members, the County Manager, Deputy Clerk, Finance Director, County Attorney, members of the news media and interested citizens were present.

ANNOUNCEMENTS: There were no announcements.

INVOCATION: Rev. Jeff King from Macon Baptist Association gave the invocation.

PLEDGE OF ALLEGIANCE: The pledge to the flag was recited.

PUBLIC COMMENT PERIOD: Mary Ann Widenhouse, Otto, N.C., updated the Board on activities of the National Alliance on Mental Illness (NAMI) especially the progress being made in Crisis Intervention Teams (CIT) training. She explained, although there has been some CIT training in the area, the goal is to bring full CIT training to the area which would involve law enforcement, first responders, ER personnel, dispatchers, etc. Ms. Widenhouse shared a personal experience indicating the need for the training. She stated there was going to be a meeting of any interested stakeholders on February 26th at 1 p.m. at the Smoky area office. Ms. Widenhouse also advised the Board there will be another meeting sponsored by NAMI, "Concerns and Beliefs About Money and Their Impact on Mental Health" on February 5th at 7 p.m. at the Children's Home on Wiley Brown Road and expressed the hope some of the Board could attend one or both of the meetings. Ms. Widenhouse expressed appreciation to the Community Funding Pool for the allocation to NAMI this year. Shirley Ches thanked the Board for holding their second monthly meeting during the day. She stated in early 2007 she had raised the issue of junk trailers in the county, expressed the concern that old trailers would be brought into the county from other areas and asked the Board to address penalties in any ordinance considered. Chairman Beale stated the Planning Board was holding a retreat on January 30th and that would be discussed.

ADJUSTMENTS TO AND APPROVAL OF THE AGENDA: Upon motion by Commissioner McClellan, seconded by Commissioner Simpson, the Board unanimously voted to approve the agenda with the addition of item 11G, modification and assignment of note and deed of trust and item 11H, announcement of scheduling by the Chairman.

REPORTS/PRESENTATIONS: Legislative Goals Update - Chairman Beale and Commissioner Davis updated the Board on the recent Legislative Goals Conference they attended and the goals adopted. Commissioner Davis explained the process adding that it provided an opportunity to rejoice in the quality of Macon County department heads. Chairman Beale stated he and Cherokee County Chairman Dana Jones were on the Human Services Committee and almost everything they put forth was adopted verbatim. Both expressed the opinion that it is very important to be represented at these types of functions to voice the County's concerns and recommendations. Mental Health Task Force: Jane Kimsey and Jim Bruckner, Co-chairs of the Macon County Healthy Carolinians Mental Health Task Force, gave an update which included short term recommendations per attachment #1. Included in the recommendation was a budget request of an additional \$63,600 in the current year. Chairman Beale advised the item will be on the second agenda in February for consideration. The Chairman also acknowledged reaccreditation of the Healthy Carolinians and recognized Kathy McGaha and Rhonda Blanton for their work. (A complete copy of the Task Force report and recommendations is on file in the County Manager's Office.)

TAX ISSUE - ESTIE JANE PASSMORE HARRIS ESTATE: Attorney Richard Jones

presented a Petition for Release of Improperly Assessed Taxes, Penalties and Interest on property of the Estie Jane Passmore Harris Estate stating when Mrs. Harris died the property was surveyed and showed a tract listed as 41.87 acres was actually 16.68 acres and a 1.26 acre tract was actually 1.25 acres. Tax Administrator Richard Lightner recommended denial of the release based on NCGS 105-287 (c) and NCGS 105-325(6)(a). When asked for a legal opinion the County Attorney stated, in order to maintain the attorney/client privilege, she would have to give her opinion in closed session. Chairman Beale stated the item would be added to closed session for discussion and would be on the first meeting in February agenda for a ruling.

NOHA APPEAL: Chairman Beale opened the public hearing for appeal by Mr. Joe Noha for exceptions to the Macon County Flood Ordinance. Mr. Noha presented his appeal per the attached information requesting (1) to use off site fill to cover large culverts shown as "A" on the site plan presented and (2) to use fill in the swale or "ditch" area shown as "B" on the site plan presented. (Attachment #2) When asked for comments on the issue, Jack Morgan, Flood Plain Administrator, distributed information from Mr. Noha's appeals heard in May and July, 2008 and reiterated his comments suggesting enforcement of the Ordinance as written. (Information entered into record and on file in the Clerk to the Board's Office.) Mr. Morgan indicated the first item requested had already been basically done using on-site fill and was permissible by the Macon County Flood Ordinance. He recommended again denying the second item pursuant to Section Article 5, Section A(17) of the Ordinance. Commissioner Davis made a motion to accept recommendation of the Flood Ordinance Administrator to allow minimal amount of off-site red-clay fill in area "A" for culvert cover subject to the approval of the Ordinance Administrator. The motion was seconded by Commissioner Kuppers and all favored. Upon consideration of the factors listed in Article 4 Section(s) E, 9(e) of the Flood Ordinance and the purposes of this ordinance, the appeal board concluded that Appellant had not shown good and sufficient cause to allow exceptions to the requirements of the Ordinance, and the decision of the Flood Plain Administrator to deny the fill permit in area "B" was affirmed upon motion by Commissioner Davis, seconded by Commissioner McClellan, and all favored. Chairman Beale closed the hearing and returned to regular session.

EMPLOYEE SERVICE AWARDS: The meeting recessed for presentation of service awards to the following employees: ten years - Polly Bradley, Julia Duvall, Bobby Gibson, Myra Higdon, Tonya Hodgins, Debbie Hunter, Amy Jennings, Doug Johnson, Patricia Lopes, Kaine Matthews, Andy Muncey, Alvin Nicholson, Jonathan Phillips, Julie Rogers, Paul Rondel, Terry Smith, Gary Solesbee, Amy Stewart, Maggie Vendrell, Tina Wiggins, Gary Wishon and Karen Wisman; fifteen years - Bobby Bishop, Shelia Corbin, Angela Kinsland, Gail Lehman, Kenneth McCaskill, Pam Perry, Angela Phillips, Steve Sears, and Charles Womack; twenty years - Terry Bates, Pat Deal, Kay Hilty and Pam Ledford; twenty-five years - Mary Jo Arrant, Anita Cloer and Linda Tyler and thirty years - Anne Hyder and Stan Polanski.

A reception followed and the Board returned to regular session.

CONSENT AGENDA: Chairman Beale announced there would be an update on the well inspections situation at the second meeting in February and the Planning Board would be discussing the proposed junk ordinance at their retreat on Friday. Upon motion by Commissioner Simpson, seconded by Commissioner McClellan, the Board unanimously voted to approve the following items on the consent agenda:

Minutes - Approved the minutes of the January 12th meeting.

udget revisions - Approved budget revision #94, appropriating \$22,727 Shop with a Cop donations;  
revision #95, revising DSS crisis program and Angel Medical line items and  
revision #96, budgeting \$35,000 for Foreign Travel/other vaccine programs.  
(Note: revisions with corresponding numbers are attached.)

Tax releases - Approved tax releases in the amount of \$2,239.85. (Note: a

printout of releases is on file in the Tax Office and the Clerk's Office.)  
EMS Sole Source Purchase Resolution - Approved the attached resolution for  
Sole Source Purchase reference purchase of an ambulance for a box remount.  
(Attachment #3) Cablevision franchise transfer - Approved the second reading  
for transfer of the Franklin area cablevision franchise from Mediacom to Morris  
Communications.

County ID Policy - Amended the County ID Policy changing the cost for a  
replacement microchip card if lost from \$20 to \$10. (Attachment #4)  
Modification and Assignment of Note and Deed of Trust - Approved and authorized  
execution of a Modification Agreement and an Assignment of Note and Deed of  
trust for Bernice Moffitt which when recorded by the Housing Department will  
ensure that the proper amount funded has been accounted for and recording of  
the Assignment will transfer the administration of funds to the N.C. Housing  
Finance Agency.

CLOSED SESSION: Upon motion by Commissioner Koppers, seconded by  
Commissioner Davis, the Board unanimously voted to go into closed session to  
discuss personnel and attorney/client privilege. During closed session the  
Attorney advised the Board on the tax issue presented in open session and the  
County Manager updated the Board on a personnel matter after which the County  
Manager, Deputy Clerk and Finance Officer were excused.

ADJOURNMENT: The meeting was adjourned.

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Jack Horton, County Manager  
Clerk to the Board

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Ronnie Beale  
Board Chairman

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