

MACON COUNTY BOARD OF COMMISSIONERS
APRIL 10, 2012
MINUTES

Chairman Corbin convened the meeting at 6:00 p.m. All Board Members, the County Manager, Deputy Clerk, Finance Director, County Attorney, members of the news media and interested citizens were present.

ANNOUNCEMENTS: Commissioner Beale made notice of the following upcoming events: (1) Special Olympics in Franklin on April 20, (2) the dedication of the county's Senior Services facility in honor of Dorothy and John Crawford at 2 p.m. on April 27, and (3) the public hearing on the proposed dialysis center at 2:30 p.m. on May 15 in Courtroom B of the Macon County Courthouse.

MOMENT OF SILENCE: Chairman Corbin asked those in attendance to observe a moment of silence.

PLEDGE TO THE FLAG: Led by Commissioner Tate, the pledge to the flag was recited.

PUBLIC COMMENT: **Avram Friedman**, executive director of the Canary Coalition, urged the board to join in support of an amendment to the United States Constitution to establish that corporations are not entitled to the constitutional rights of natural persons and the money is not a form of free speech. He submitted a draft resolution to the board regarding this matter, asking that it be adopted and forwarded to the North Carolina General Assembly. **Narelle Kirkland** brought to the board's attention her concern regarding the dumping of shingles on property located near hers and offered to participate in the cost of the clean-up of those items, and asked if the county would be willing to waive the landfill fees associated with that. The County Manager pointed out that the county's position is that it does not clean up private property nor does it waive tipping fees. He told the board that he and Solid Waste Director Chris Stahl would investigate the matter, but that the owner of the property would have to be involved as well. **Shirley Ches** also spoke on behalf of *Citizens United v. Federal Election Commission*, regarding the resolution that Mr. Friedman had presented to the board earlier in the meeting, saying that she would like to see the county stand with the proposed amendment to the U.S. Constitution. **Vic Drummond** addressed the board regarding the upcoming budget, stating that the board should make a substantial reduction in the personal property tax rate and reduce the fund balance in the general fund by returning money

to the taxpayers. He asked the board to cut the tax rate by 2.5-cents in 2012-13 and to continue cutting until the fund balance is back at the county's goal of 25 percent of the budget. **Lucy Christopher** of Cashiers, NC also spoke on behalf of *Citizens United* and why the amendment to the constitution was needed. She noted that the Town of Franklin Board of Aldermen had adopted the proposed resolution presented by Mr. Friedman and asked the commissioners to place it on their next agenda and adopt it. **Allen Lomax** of Jackson County also spoke on behalf of *Citizens United* and said that while he is not "anti-corporation," we do live in a two-tiered nation and that it is time for a revolution. He asked the board to follow the town and pass the resolution.

ADJUSTMENTS TO AND APPROVAL OF THE AGENDA: Upon a motion by Commissioner Kupperts, seconded by Commissioner Beale, the board voted unanimously to approve the agenda as adjusted, as follows:

- To add a request from the Highlands Chamber of Commerce for an Independence Day fireworks display in the Town of Highlands under New Business as Item 10A, per Commissioner Tate.
- To add a budget amendment, #168, under the Consent Agenda in Item 11B, per the Finance Director.
- To add an item for special recognition under Reports/Presentations as Item 8C, per Commissioner Beale.
- To add a change order on the Iotla Valley School construction project under New Business as Item 10B, per the County Manager.

UPDATE ON FY 2012-13 BUDGET PROCESS: The County Manager provided the board with an update on the budget process for the upcoming fiscal year. He noted that he had just completed the review of the individual departmental budgets, and that all of the department heads had attempted to hold the line on spending. He pointed out that the county is still awaiting the results of the pay study. He said that while he does not have all of the revenue information yet, there has been some growth in the tax base and slight increases in sales tax. As counties are "creatures of the state," he pointed out that roughly two-thirds of the county's budget is dictated by the federal or state government. After mentioning some school-related issues, he reminded the board that the budget calendar calls for the proposed budget to be presented on May 8th, followed by work sessions with the board, and then a public hearing on the budget set for June 5th. Chairman Corbin then recognized Dan Brigman, Macon County Schools Superintendent, and Tim Burrell, the school system's technology director. Following the joint meeting between the commissioners and the school board on April

9th, there was continued discussion regarding how to fund computer needs that would get the system back into a five-year replacement rotation as opposed to the nine-year cycle now in place, particularly with the upcoming requirements to do online testing by 2014. Chairman Corbin noted the desire to see funding for the schools' computer needs shown as a separate line item in the county budget.

UPDATE ON ADULT DENTAL PROGRAM: Jim Bruckner, director of the county's health center, updated the board on the adult dental program. He provided a brief history, explaining that the center's full-time dentist resigned in May of 2011, followed by the commissioners authorizing additional funding of \$54,000 to cover the projected costs of a full-time contract dentist. However, in February, the center hired Dr. Bruno Kaldre as a full-time dentist, and Mr. Bruckner introduced Dr. Kaldre. Mr. Bruckner asked the board to leave the additional funding in the budget until the end of year, as the program is "not out of the woods yet." Upon the recommendation of the County Manager, the board agreed by consensus to make no changes to the departmental budget.

SPECIAL RECOGNITION FOR TOM MCNISH: Commissioner Beale requested that the board send a letter of recognition to Tom McNish, a former Macon County resident now living in San Antonio, Texas. Commissioner Beale explained that Mr. McNish, who came to Macon County with his family at the age of three, was one of the longest-serving prisoners of war in Vietnam (along with Nat Henry), and went on to a distinguished career in the U.S. Air Force. Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to sign and send a special letter of recognition to Mr. McNish on his upcoming birthday (April 29th).

ORDINANCE PROHIBITING SMOKING OR USE OF OTHER TOBACCO PRODUCTS WITHIN THE COUNTY'S PARKS SYSTEM: The County Attorney explained that he had made minor changes to the draft ordinance that was presented to the board at its March regular meeting, noting that he made it specific to Macon County and removed some editorial content. The only change of substance to the draft ordinance was to remove additional sanctions that could be enforced against county employees who were found to be in violation of the ordinance. The remaining question centered on selecting an appropriate effective date, and following discussion, the board agreed on 90 days from the day of the meeting. Upon a motion by Commissioner Beale, seconded by Commissioner Kupperts, the board voted unanimously to adopt "An Ordinance to Prohibit Smoking and the Use of Other Tobacco Products on Grounds of Macon County's Parks System and in Buildings Located in

Macon County's Parks System" as presented by the County Attorney, with an effective date 90 days from the date of this meeting. A copy of the ordinance (Attachment 1) is attached and is hereby made a part of these minutes.

Chairman Corbin declared a recess at 7:42 p.m.

Chairman Corbin called the meeting back to order at 7:55 p.m.

TOWN OF HIGHLANDS FIREWORKS DISPLAY: Commissioner Tate, at the request of Bob Kieltyka with the Highlands Chamber of Commerce, asked that the board consider adoption of a resolution allowing a fireworks display on Independence Day in the Town of Highlands. Furthermore, Commissioner Tate noted that such a resolution can remain in effect until further notice, which would prevent the board from having to approve the display each year. Upon a motion by Commissioner Koppers, seconded by Commissioner Beale, the board voted unanimously to authorize the County Attorney to prepare the appropriate resolution for the board's consideration at its May regular meeting.

IOTLA VALLEY ELEMENTARY SCHOOL CHANGE ORDER: The County Manager presented a request from Mike Watson, the architect on the North Macon Elementary School project, on behalf of the contractor, H&M Constructors. The change order requested an additional 22 days in contract time, due to inclement weather, but no additional expenditures. If approved, the County Manager noted that the date of substantial completion would be moved to June 18, 2012. Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to approve Change Order Number 2 (Attachment 2) as presented, a copy of which is attached and is hereby made a part of these minutes.

CONSENT AGENDA: Upon a motion by Commissioner Koppers, seconded by Commissioner Tate, the following items on the consent agenda were unanimously approved: **Minutes** – Approved the minutes from the March 13th meeting. **Budget amendments** – Approved the following budget amendments: #160 for the Finance Department to allocate funding of \$582,272 for the Iotla Valley Elementary School furniture, hardware, playground equipment, scoreboards, storage building and HVAC testing/balancing ; #168 for the Housing Department to add \$24,101 in additional HARRP funds to be received. (Revisions with corresponding numbers attached.) **Tax releases** – Approved tax

releases in the amount of \$462.82. (A computer printout of releases is on file in the Tax Department and the County Manager's office.)

APPOINTMENTS: Planning Board – The County Manager explained that he had been informed that Derek Roland would replace Mike Grubermann as the Town of Franklin's representative on the Macon County Planning Board. Upon a motion by Commissioner Haven, seconded by Commissioner Tate, the board voted unanimously to approve the appointment, with the term of office to be for three years and expire on April 10, 2015. The board was also made aware of a number of upcoming appointments.

CLOSED SESSION: At 8:01 p.m., and upon a motion by Commissioner Beale, seconded by Commissioner Koppers, the board voted unanimously to go into closed session to preserve the attorney/client privilege under G.S. 143-318-11(3). At 8:51 p.m., and upon a motion by Commissioner Koppers, seconded by Commissioner Tate, the board voted unanimously to come out of closed session. No action was taken.

ADJOURN: Upon a motion by Commissioner Beale, seconded by Commissioner Koppers, the board voted unanimously to adjourn at 8:52 p.m.

Jack Horton, County Manager
Clerk to the Board

Kevin Corbin
Board Chairman