

**MACON COUNTY BOARD OF COMMISSIONERS
JUNE 11, 2013
MINUTES**

Chairman Corbin called the meeting to order at 6:03 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: Individual board members thanked those in the audience for attending, and expressed condolences regarding the deaths of Bill Evans, the mother of Nat Henry and the stepmother of county Parks and Recreation Director Seth Adams.

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

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

PUBLIC HEARING ON THE RECOMMENDED FISCAL YEAR 2013-2014 COUNTY BUDGET: Chairman Corbin convened the public hearing at 6:07 p.m. The following individuals spoke: **Kenneth McCaskill** spoke on behalf of the increase in the fire tax for the Burningtown-Iotla Volunteer Fire Department, stating that the issues involved are public safety, quicker response time and the possibility of reducing the department's rating so that homeowners would see a reduction in their insurance rates. **Michael Gaines** voiced support for the tax increase for the Otto Volunteer Fire Department and the sheriff's request for two additional school resource officers. **Chris Baldwin** thanked the board for the proposed increase in spending for the school system, and as incoming superintendent, pledged to be a good steward of the county's tax dollars. **James Bryan**, the principal at Nantahala School, asked the board for consideration of a full-time school resource officer there.

Karen Wallace thanked the board for considering an increase in funding for public libraries, a portion of which would provide for increases in employee salaries. **Melissa Evans**, a member of the Macon County Board of Education, spoke in support of Mr. Bryan's request for a full-time school resource officer for Nantahala School, citing the "unique situation" of the community. With no one else signed up to speak, and upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to close the public hearing at 6:20 p.m. Chairman Corbin advised the board members, media and public of two upcoming meetings, one on June 13th to discuss the budget and one on June 17th to consider adoption of the budget.

PUBLIC COMMENT: No one spoke during the public comment period.

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

- To add Budget Amendments #196 through #200 to the Consent Agenda under Item 11B, per the Finance Director.
- To add a discussion regarding the floodplain ordinance under Old Business as Item 9C, per Commissioner Haven.
- To add consideration of the reappointment of Melvin "Pete" Penland to the Southwestern Community College Board of Trustees under Appointments as Item 12C, per Chairman Corbin.
- To delay consideration of the appointment to the Planning Board (Item 12A under Appointments) until the July regular meeting, per Chairman Corbin.
- To change the starting time of the recessed meeting scheduled for Thursday, June 13th from 6 p.m. to 7 p.m., per Chairman Corbin.

BAN ON SYNTHETIC DRUG PRODUCTS: Commissioner Beale introduced Cassidy Ledford, who, along with others, made a brief presentation on efforts to secure a ban on synthetic drug products such as synthetic marijuana. Sheriff Robert Holland explained that legislation has been passed by both the state House and Senate – and would soon be signed by the governor – making such products that are now "legal stuff" unlawful. The sheriff described the synthetic marijuana as extremely dangerous and praised Miss Ledford and the other students, noting that they "took a lot of heat" for taking this stance. Chairman Corbin and Commissioner Beale presented Miss Ledford with a copy of the ratified bill (House Bill 813 – An Act to Make the Manufacture, Possession, Sale, Use and Delivery of All Synthetic Cannabinoids Unlawful) and a small gift from the board of commissioners expressing the county's appreciation for her efforts on this issue.

PROPOSED AMENDMENTS TO COUNTY SUBDIVISION ORDINANCE:

County Planner Matt Mason asked the board members if they had any questions or concerns with the proposed amendments, which were presented to the commissioners on May 20th. Chairman Corbin responded that he personally was very pleased with the proposed changes. Commissioner Tate, the liaison to the planning board, said that he was in support of the amendments and that the planning board had done a great job. Commissioner Tate recommended scheduling a public hearing on the amendments for the July 9th regular meeting, and the board agreed by consensus to proceed. The County Attorney said that he would prepare the proper legal notice as well as a revised ordinance for the board's consideration. No formal action was taken.

DISCUSSION REGARDING FLOODPLAIN ORDINANCE: Commissioner Haven told the board, in regard to the placement of fill dirt within a floodplain area, that the county's standards should not be higher than the state's. Mr. Mason responded by stating that the planning board was awaiting the final outcome of state Senate Bill 612 (SB612), which would not allow local land use ordinances to be more restrictive than the state's regulations. Commissioner Tate suggested instructing the planning board to put any work on the county's floodplain ordinance on hold until the proposed legislation is settled. Commissioner Haven considered making a motion to change the county's ordinance, but Chairman Corbin said that the commissioners do not have a recommendation from the planning board, and that any action would be premature in light of the legislature's pending action. Following further discussion, no action was taken.

CONSIDERATION OF EXCHANGE OF REAL ESTATE AND PROPERTY ACQUISITION IN HIGHLANDS:

The County Attorney presented a resolution for the board's consideration authorizing the exchange of a 1.74-acre tract of land owned by Macon County (valued at \$155,000) for a 1.78-acre tract of land owned by Betty and Donald Fisher (valued at \$157,000). He also presented an agreement for the purchase and sale of real property regarding a 1.76-acre tract of land – located adjacent to the properties involved in the exchange – that Macon County would purchase from the Fishers for \$145,000. After pointing out an adjustment in a property line stemming from a recent survey, the County Attorney recommended that the board approve both documents. He explained that the exchange and the purchase had been prepared for a simultaneous closing, and that the board “can't do one without the other.” He also noted that the county would need to perform its due diligence on both parcels. Commissioner Tate, who explained that he

had worked on this project for several months, made a motion to approve the resolution and the agreement for the purchase and sale, with the \$145,000 to come from the county's undesignated fund balance. The County Attorney pointed out that the motion would need to include authorization for Chairman Corbin and the County Manager to sign the documents and to fill in blanks as needed. Commissioner Beale seconded the motion, stating that the county has worked on this project for years and that the additional property would enhance Zachary Park. The motion passed 3-2, with Commissioners Beale, Corbin and Tate in favor and with Commissioners Haven and Higdon opposing. The "Resolution Authorizing Exchange of Real Property" (Attachment 1) and the agreement for purchase and sale of real property (Attachment 2) are attached and hereby made a part of these minutes.

TRANSFER OF AMBULANCE TO SOUTHWESTERN COMMUNITY COLLEGE: The County Manager suggested that the board delay action on this item, noting that the 1983 model ambulance originally belonged to the Highlands Fire & Rescue squad and that the county should check to ensure that it can properly transfer the vehicle to another entity. The board members agreed to table the matter until the County Attorney could resolve this issue.

GRANT PROJECT ORDINANCE FOR URGENT REPAIR GRANT: The Finance Director provided the board with details regarding a \$75,000 grant for the Urgent Repair Program administered through the NC Housing Finance Agency. The County Manager said the grant would help fund materials for the World Changers group that will be coming to Macon County to assist in repairing houses. Upon a motion by Commissioner Haven, seconded by Commissioner Beale, the board voted unanimously to approve the Grant Project Ordinance as presented, a copy of which is attached (Attachment 3) and is hereby made a part of these minutes.

CAPITAL PROJECT ORDINANCE FOR HIGHLANDS SCHOOL: The Finance Director explained that the board needed to formally adopt a capital project ordinance authorizing the renovations to Highlands School using an allocation of Qualified Zone Academy Bonds (QZAB) funded by an installment contract with BB&T. The County Manager noted that the \$1,588,340 total includes funds for the required asbestos removal and the creation of a 5 percent contingency line item. Upon a motion by Commissioner Tate, seconded by Commissioner Beale, the board voted unanimously to approve the Capital Project Ordinance as presented, a copy of which is attached (Attachment 4) and is hereby made a part of these minutes.

CONSENT AGENDA: Upon a motion by Commissioner Tate, seconded by Commissioner Higdon, the following items on the consent agenda were unanimously approved: **Minutes** – Approved the minutes from the May 14th, May 20th, May 28th, May 30th and June 4th meetings. **Budget amendments** – Approved the following budget amendments: **#196** for Social Services to appropriate \$28 in additional funding from the Duke Energy Assistance program; **#197** for Social Services to transfer funds to cover meal expenses at the Senior Center; **#198** for the Finance Department to appropriate a \$5,000 grant received from the State Employees Credit Union (SECU) for a summer internship in the Finance Department; **#199** for the Housing Department to appropriate \$75,000 received for the Urgent Repair Program; **#200** to appropriate \$1,500,000 in debt proceeds for the Highlands QZAB project and to transfer funds from other school capital projects to allow for a 5 percent contingency on construction. The Finance Director also recognized Katie Stanley, the intern who will be serving in the Finance Department this summer. (Revisions with corresponding numbers attached.) **Tax releases** – Approved tax releases in the amount of \$3,716.59. (A computer printout of releases is on file in the Tax Department and the County Manager’s office.) **Changes to Macon County Public Health Fee Schedule** – Approved three items, including one new fee and changes to two other existing fees, per the attached documentation. **Monthly ad valorem tax collection report** – No action necessary.

APPOINTMENTS: Planning Board – Chairman Corbin requested that this item be tabled until the July regular meeting. **Airport Authority** – Upon a motion by Commissioner Tate, seconded by Commissioner Beale, the board voted unanimously to reappoint Miles Gregory and Pete Haithcock to six-year terms on the authority, with the terms to expire June 11, 2019. **SCC Board of Trustees** – Upon a motion by Commissioner Higdon, seconded by Commissioner Haven, the board voted unanimously to recommend to the Jackson County Board of Commissioners the reappointment of Melvin “Pete” Penland to the Southwestern Community College (SCC) Board of Trustees for a four-year term, with the term to expire June 30, 2017.

RECESS: Upon a motion by Commissioner Higdon, seconded by Commissioner Haven, the board voted unanimously at 7:18 p.m. to recess the meeting until Thursday, June 13, 2013 at 7 p.m. in the commission boardroom on the third floor of the Macon County Courthouse located at 5 West Main Street in Franklin, NC. Chairman Corbin told the board members to be prepared to discuss changes to the budget.

Jack Horton, County Manager
Clerk to the Board

Kevin Corbin
Board Chairman