

MACON COUNTY BOARD OF COMMISSIONERS  
DECEMBER 2, 2002  
MINUTES

Chairman Corbin convened the meeting at 9 a.m. All Board Members including Commissioners-elect Shepherd and Simpson, the County Manager, County Attorney, Deputy Clerk, Finance Officer, members of the news media and interested citizens were present. Rev. Davis Hooper from Coweeta Baptist Church gave the invocation.

MINUTES: The minutes of the November 4th and 18th meetings were unanimously approved as submitted upon a motion by Commissioner Greene and seconded by Commissioner Leatherman.

RECESS/SWEARING IN OF NEW MEMBERS: The meeting was recessed to Courtroom A for the swearing in of new members. Judge James Downs swore in newly elected (or re-elected) Clerk of Court Anna Carson, Sheriff Robbie Holland, Register of Deeds Adelaide Green, Commissioners Allan Bryson, Jay Dee Shepherd and Bob Simpson and SCS Supervisor Phillip Hedden. Judge Downs also presented plaques of appreciation to outgoing Sheriff Homer Holbrooks, Commission Chairman Harold Corbin and Commissioner Janet Green. (Outgoing Register of Deeds Janet Robinson was not present to receive her plaque.) The Board returned to the Board Room to reconvene in regular session.

ELECTION OF CHAIRMAN AND VICE CHAIRMAN: The retiring chairman was requested to conduct the election of the new chairman and the floor was opened for nominations noting a nomination does not require a second. Commissioner Bryson made a motion to nominate Commissioner West for Chairman. The motion was seconded by Commissioner Simpson. There were no other nominations and Commissioner Shepherd made a motion nominations cease. The motion was seconded by Commissioner Leatherman and all favored. Upon a motion by Commissioner Bryson and seconded by Commissioner Simpson the Board unanimously voted to elect Commissioner West as chairman by acclamation. Chairman Corbin passed the gavel to Commissioner West who opened the floor for nominations for vice-chairman. Commissioner Simpson nominated Commissioner Bryson. The motion was seconded by Commissioner Leatherman. Being no further nominations Commissioner Leatherman made a motion nominations cease and Commissioner Bryson be elected as vice-chairman by acclamation. The motion was seconded by Commissioner Shepherd and all favored. Chairman Corbin and Commissioner Greene both made brief comments and wished the new board well.

RECESS: The meeting recessed for about thirty minutes in order to attend a reception for outgoing and incoming officials. The meeting was reconvened in regular session and Chairman West welcomed everyone present.

PUBLIC SESSION: Don Seagle stated he wished to recognize current and past board members for the find job they have done. He requested the attached editorial be entered into the minutes for record and asked the media to run the editorial in their papers. (Attachment #1) Mr. Seagle called for public support of the Boards of Commissioners and Education. Chuck Seigel questioned how the cost the county will pay for property is derived and why the county purchased property from the Nikawsi Foundation for considerably more than the Foundation paid for it a few months earlier and at a much higher cost than the tax appraisal. The County Manager explained the property had been appraised by Guy Duvall Appraisal Services and the additional value paid by the County was due to mineral and water rights, which also includes some rights from Duke Power. Mr. Greenwood added revenues derived from the sand rights will come back to the Friends of the Greenway (FROGS) for maintenance and upkeep of Greenway.

HEALTH DEPARTMENT: Discussion on the request to adopt a restaurant plan review fee schedule was continued from the November meeting. Health Director Ken Ring reported the state fee for review of prototype franchised plans of chain facilities is \$200. For purposes of discussion only, Commissioner Leatherman made a motion to approve the fee schedule as requested. The motion was seconded by Commissioner Shepherd and the item was discussed at length after which the motion failed 0-5 with a note that the matter can be reviewed as part of the budget process.

FINANCE: Schools - County Finance Director Kim Woodley presented information on repayment of debt for School's Package A and presented a written report on the public

school financing/county relationship. The County Manager stated the Board of Education and Board of Commissioners need to schedule a work session prior to the beginning of the budget process to discuss priorities and do some planning for the next two years. In relation to the sales tax issue he recommended transfer of the local capital outlay allocation to the schools, not withholding sales tax, and let the schools be responsible for getting the sales tax back. Commissioner Bryson made a motion to accept the recommendation as presented by the County Manager in order to get the matter on the floor for discussion. The motion was seconded by Commissioner Simpson and after discussion which included school representatives the motion passed unanimously. The County Manager and Superintendent are to work on the sales tax reimbursements and schedule a work session in January. Budget revisions - The following budget revisions were unanimously approved: revision #55, upon a motion by Commissioner Bryson and seconded by Commissioner Leatherman, appropriating \$32,263 donations to Emergency Services; revision #56, upon a motion by Commissioner Bryson and seconded by Commissioner Leatherman, appropriating \$3,137 for Health Smart Start program; revision #57, upon motion by Commissioner Leatherman and seconded by Commissioner Shepherd, appropriating \$1,000 in State Healthful Living Action Plan funds; revision #58, upon a motion by Commissioner Bryson and seconded by Commissioner Simpson, appropriating \$3,426 State Asthma Grant funding; revision #59, upon motion by Commissioner Leatherman and seconded by Commissioner Bryson, appropriating \$3,000 state fund for Bioterrorism Preparedness and Response; revision #60, upon a motion by Commissioner Shepherd and seconded by Commissioner Leatherman, decreasing state funds by \$1,523 for the TANF Program; revision #61, upon a motion by Commissioner Bryson and seconded by Commissioner Shepherd, appropriating \$640 TATU grant funds; revision #62, upon a motion by Commissioner Leatherman and seconded by Commissioner Shepherd, appropriating \$1,475 for Question Why grant in the Health Department; revision #63, upon a motion by Commissioner Bryson and seconded by Commissioner Leatherman, appropriating \$9,748 insurance claim; revision #64, upon a motion by Commissioner Shepherd and seconded by Commissioner Leatherman, increasing LINKS program funding by \$400; revision #65, upon a motion by Commissioner Bryson and seconded by Commissioner Leatherman, aligning JCPC budget to state approved amount of \$5,332; revision #66, upon motion by Commissioner Leatherman and seconded by Commissioner Shepherd, aligning budget expenditures in School Package A capital project; revision #67, upon motion by Commissioner Shepherd and seconded by Commissioner Leatherman, appropriating \$620 interest earning for the Greenway capital project; revision #68, upon a motion by Commissioner Shepherd and seconded by Commissioner Leatherman, appropriating \$813 interest earnings in the landfill garage capital project; revision #69, upon a motion by Commissioner Bryson and seconded by Commissioner Shepherd, appropriating \$6,104 interest earnings on the 441 South Water/Sewer project; revision #70, upon a motion by Commissioner Leatherman and seconded by Commissioner Shepherd, appropriating \$3,850 interest earnings for Schools Pack B capital project; and revision #71, upon a motion by Commissioner Bryson and seconded by Commissioner Shepherd, appropriating \$12,258 in Nantahala EMS building capital project. (Note: revisions with corresponding numbers are attached.)

HUMAN RESOURCES: Transit Services - Human Resource Director Gary Nicholson presented an organizational chart for Transit Services and a new job description for the Director of Transit Services/Regional Non-Emergency Medical Transportation Coordinator explaining the County Director's duties have expanded to include working with eighteen other transportation agencies throughout Western North Carolina but no salary increase is requested. Upon a motion by Commissioner Bryson and seconded by Commissioner Leatherman the Board unanimously voted to approve the organizational chart per attachment #2 and job description as presented. Register of Deeds - A revised organizational chart for the Deeds Office adding an Assistant Register of Deeds position per attachment #3 and the job description for the Assistant's position were presented with the explanation that the Assistant's position had been in place previously but the former Register of Deeds did not wish to fill the position. It was noted no additional funds would be required with the restructuring being done by the new Registrar. Upon a motion by Commissioner Shepherd and seconded by Commissioner Leatherman the organizational chart and job description were unanimously approved as submitted. Sheriff's Department - Mr. Nicholson presented an organizational chart for the sheriff's department advising Tim Holland, the Sheriff's brother, has been an employee at the Sheriff's Department for approximately four years and is included in the chart as Detention Captain. Mr. Nicholson explained that by General Statute the Board has to approve the Sheriff hiring certain relatives including siblings and by approving the chart

will also be approving the Sheriff continuing to employ his brother. Job descriptions for a Medical/Transport Officer, Public Information/Administrative Officer, Media Relations Officer and Medical Officer were presented for approval. Upon a motion by Commissioner Bryson and seconded by Commissioner Simpson the Board unanimously voted to approve the organizational chart per attachment #4 and job descriptions as presented. (Note: all approved job descriptions are on file in the Human Resource Office.)

CODE OF ORDINANCES: The County Attorney briefed the Board on a year long codification process for Macon County Ordinances explaining no content changes were involved and the process will put local ordinances into a statewide recognized format. Upon a motion by Commissioner Leatherman and seconded by Commissioner Shepherd the Board unanimously voted to approve the first reading of an ordinance enacting a code of ordinances for the county per attachment #5. The seconded reading will be at the January meeting.

SALES TAX: Information on levying the third one-half cent (1/2¢) sales and use tax was presented. The County Manager advised this was the last opportunity to put the tax into effect January 2003 and recommended, if levied, to wait until at least July, 2003. Options were discussed including the - sunset - in July, 2003 of the state one-half cent (1/2¢) levy. Commissioner Shepherd made a motion to implement the one-half cent effective July 2003 if the state does indeed drop their one-half cent (1/2¢) levy at that time. The motion was seconded by Commissioner Bryson with the understanding the State must rescind their levy before the County implements the one-half cent (1/2¢). The motion passed four to one with Commissioner Leatherman opposing.

LEGISLATIVE GOALS CONFERENCE: Attendance and a voting delegate to the Legislative Goals Conference in Raleigh January 16-17, 2003 were discussed with no decision being made.

MEETING SCHEDULE: Commissioner Simpson stated one of the things he heard during his campaign was availability of meetings for working people and made a motion to change the regular meeting time from 9 a.m. to 6 p.m. on the first Monday of each month effective February, 2003. The motion was seconded by Commissioner Shepherd and all favored. (Attachment #6.)

TAX DEPARTMENT: Releases - Upon a motion by Commissioner Leatherman and seconded by Commissioner Bryson the Board unanimously voted to approve tax releases in the amount of \$3,954.14 as submitted. (A copy of releases is on file in the Tax Department and the County Manager's Office.) Macon County Coop - A request for a donation of \$12,702.72 for current and prior years tax paid by the Macon County Co-op was presented. The County Manager explained an agreement was made in the 80's to help the Co-Op by which they would pay the property tax and the County would make a donation to the Co-Op in the exact amount and this has not been happening for the past few years. Action was delayed pending further information.

GREENWAY/POWELL MEMORIAL PARK: Hank Shuler representing Friends of the Greenway (Frogs) updated the Board on the proposed memorial park in memory of Wesley Powell which is being constructed on Greenway property. Ms. Shuler advised the Powell family and Memorial Foundation will pay for construction and improvements and the Greenway/County will provide the land and upkeep. No action was necessary.

RECREATION PARK POOL RENOVATIONS: The County Manager stated he and the Recreation Director had negotiated with Medallion Pool Company on their previous low bid of \$89,000 for renovations to the Franklin Recreation Park pool as discussed at the November meeting. He explained Medallion has reduced the costs to \$73,000 and requested authorization to accept the bid from Medallion so preliminary work can be done this winter with finalization of the renovations being completed in time to open the pool on schedule. Upon a motion by Commissioner Leatherman and seconded by Commissioner Bryson the County Manager was authorized to accept the bid at \$73,000 and proceed with the contract.

RECESS/CLOSED SESSION: The Board took a brief recess after which Commissioner Bryson made a motion to go into closed session to discuss contractual matters dealing with Chestnut Hills and real property acquisition dealing with other county property and a personnel issue. The motion was seconded by Commissioner

Shepherd and all favored. During closed session the County Attorney briefed the Board on a mutual intent and agreement for purchase of Chestnut Hills noting the final proposal will require Board approval. Other referenced items were briefly discussed with no action being taken; however, Commissioners Bryson and Leatherman were designated to meet with the County Manager and Human Resource Director in January to discuss personnel issues that were discussed.

ADJOURNMENT: Upon a motion by Commissioner Bryson and seconded by Commissioner Simpson the Board unanimously voted to return to regular session and Commissioner Shepherd made a motion to adjourn.

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Sam K. Greenwood, County Manager  
Ex Officio Clerk to the Board

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Mark B. West  
Board Chairman

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