

MACON COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 9, 2002
MINUTES

Chairman Corbin convened the meeting at 9 a.m. All Board Members, the County Manager, County Attorney, Deputy Clerk, members of the news media and interested citizens were present. Rev. Wayne Allen from First United Methodist Church gave the invocation.

RESOLUTION COMMERMORATING SEPTEMBER 11, 2001: Upon a motion by Commissioner Bryson and seconded by Commissioner Greene the Board unanimously adopted a resolution per attachment #1 in commemoration of and declaring September 11th as Patriot Day.

MINUTES: Upon a motion by Commissioner Greene and seconded by Commissioner Leatherman the Board unanimously voted to approve the minutes of the August 5th and 19th meetings and public hearings as submitted.

PUBLIC SESSION:

John Earnshaw expressed concern about domestic animals that are allowed to roam unrestricted, destroy other people's property and create panic within the neighborhood. Mr. Earnshaw stated he was not advocating enactment of a leash law but a domestic animal containment law that would require containment and restriction to the owner's property.

Kathy Earnshaw stated they were residents of Belmont Estates and reiterated Mr. Earnshaw's comments. She added she was "trapped" in her yard by an unleashed dog and that she considered dogs being allowed to run out of control was a form of animal cruelty.

Geanette Lindquist stated she was also a resident of Belmont Estates and she could not even walk her dog on a leash because of the dogs running loose, etc. She encouraged the Board to enact some type of control.

Hans Tanzler III stated his family owns 1800 acres in Cowee and requested the Board to consider postponing the vote on the Watershed Ordinance amendments for thirty days due to confusion about the maps or to consider changing the restriction of tributary buffers from 1000 feet to 500 feet. Mr. Tanzler added that any greater distance does not deal with water quality but development issues.

Larry Stenger spoke in favor of adoption of the Watershed Ordinance amendments adding that the tributaries need to be looked at in addition to restrictions around the river.

Narelle Kirkland agreed, as a bicyclist, that some kind of animal control is needed. Ms. Kirkland stated she lives one-half mile from the airport and expressed concerns about the speed limit to and from the airport, sound proofing walls for noise control or a tax break for property owners around the airport and stated if the Board attempts to extend the runway another six-hundred feet she will take an active approach to stopping the extension.

WATERSHED ORDINANCE AMENDMENTS: Chairman Corbin requested the County Attorney to read the proposed amendments to the Watershed Ordinance and then opened the floor for comments and/or discussion by the board members. Commissioner Leatherman stated he felt protection of the river is an important issue but felt it is as important that the entire river be protected starting in Rabun County. The Chairman explained the amendments can be adopted as is or less restrictive without another public hearing but if they become more restrictive another hearing would be necessary. After further discussion Commissioner Greene made a motion to adopt the watershed amendments with a five-hundred foot impervious surface restriction on tributaries and one thousand feet on the Tennessee River below Lake Emory. The motion was seconded by Commissioner West and all favored. (See attachment #2.)

DIVISION OF COMMUNITY CORRECTIONS REPORT: Debra DeBruhl, 30th Judicial District Manager with the North Carolina Department of Corrections/Division of Community Corrections, presented an annual report for the period June 1, 2001 through May 31, 2002. No action was necessary and a copy of the report is on file in the County

Manager's Office.

DEPARTMENT OF TRANSPORTATION: Old Salt Rock Gap Road - Attorney Richard Melvin presented a petition for the abandonment of a portion of the Old Salt Rock Gap Road on behalf of property owners David Alan and Norma Yentsch Christopher. Mr. Melvin explained proper advertisements and notices have been made and the abandonment is not contrary to public interest and will not deny anyone ingress or egress to their property. After discussion Commissioner Bryson made a motion to adopt a resolution approving the abandonment as presented per attachment #3. The motion was seconded by Commissioner Greene and all favored. Trimont Mountain Road/Trail - Upon a motion by Commissioner West and seconded by Commissioner Bryson the Board unanimously voted to adopt a resolution requesting Trimont Mountain Road and Trimont Mountain Trail be added to the State's Secondary Road System for maintenance per attachment #4.

HEALTH DEPARTMENT: Assistant Health Director Ann Hyder requested permission to apply for the following grants: Health Action Council funding up to \$1,000 for Teens Against Tobacco, Question Why Center funding up to \$1500, N.C. Health and Wellness Trust Fund Commission Teen Tobacco Use Prevention and Cessation Program funding and an Eat Smart/Move More grant through Healthy Carolinians. Ms. Hyder noted none of these grants require matching county funds nor in-kind match. Upon a motion by Commissioner Greene and seconded by Commissioner Leatherman the Board unanimously voted to authorize application for the grants.

GREENWAY ORDINANCE: Upon a motion by Commissioner Greene and seconded by Commissioner West the Board unanimously voted to adopt an ordinance regulating the use of the Little Tennessee River Greenway per attachment #5.

HIGHLANDS RECREATION COMMISSION: Upon a motion by Commissioner Bryson and seconded by Commissioner Greene the Board unanimously voted to appoint Phillip Gates to fill the unexpired term on the Highlands Recreation Commission created by the death of Mike McCall. Term of appointment will expire May 6, 2004.

TAX DEPARTMENT: Releases - Upon a motion by Commissioner Leatherman and seconded by Commissioner West the Board unanimously voted to approve tax releases in the amount of \$14,275.55 as submitted. (A computer print-out of releases is on file in the Tax Department and the County Manager's Office.) Refunds - After discussions, upon a motion by Commissioner Greene and seconded by Commissioner Leatherman the Board unanimously approved tax refunds per attachment #6 with the exception of the recommendation for Joyce R. Hammack which was delayed pending further information. Schedule of Values - Commissioner Greene made a motion to adopt the Schedule of Values for 2003 reassessment as presented at the August 5th meeting and the August 19th public hearing. The motion was seconded by Commissioner Bryson and all favored. (A copy of the schedule is on file in the Tax Department and the County Manager's Office.)

FINANCE: The following budget revisions were unanimously approved: revision #292, upon a motion by Commissioner Leatherman and seconded by Commissioner Bryson, aligning the LBJ Water/Sewer Capital Project by \$1,493 to final expenditures for FY 2001/02; revision #293, upon a motion by Commissioner Greene and seconded by Commissioner West, appropriating \$19,992 for General Fund match on FY 2002 expenditures for the Airport Terminal project; revision #294, upon a motion by Commissioner Greene and seconded by Commissioner Bryson, aligning the Revaluation and Human Services Projects budgets to fund balance available June 30, 2001; revision #15, upon a motion by Commissioner West and seconded by Commissioner Bryson, appropriating \$2,299 from Fund Balance to Law Enforcement Center computer supplies; revision #16, upon a motion by Commissioner Greene and seconded by Commissioner Leatherman, appropriating \$2,299 from Fund Balance to Cooperative Extension for printer; revision #17, upon a motion by Commissioner Greene and seconded by Commissioner West, increasing Healthy Carolinians Micro-grants by \$2,210; revision #18, upon a motion by Commissioner Greene and seconded by Commissioner Bryson, removing \$415,209 Kate B. Reynolds grant funds from the Health Department due to lack of funding; revision #19, upon a motion by Commissioner Greene and seconded by Commissioner West, appropriating \$2,398 N.C. Rural Communities Assistance Programs well survey grant in the Health Department; revision #20, upon a motion by Commissioner Bryson and seconded by Commissioner Greene, appropriating \$73 State drug forfeitures for August; revision #21, upon a motion by Commissioner Bryson and seconded by Commissioner Leatherman, appropriating funding to cover contracts for the

Highlands Recreation Facilities Capital Project; revision #22, action was delayed and revision #23, upon a motion by Commissioner Greene and seconded by Commissioner Leatherman, appropriating funding for internet connections at Transit Services Building. (Note: revisions with corresponding numbers are attached.)

TRAFFIC SIGNALS AT LIBRARY/CHAMBER: County Manager Greenwood stated he had been contacted by members of the Library Board and Chamber of Commerce who have expressed concerns about the new traffic lights to be erected at the intersection of Wayah and Porter Streets. Mr. Greenwood explained both the Library and Chamber were concerned that the lights would cause traffic back-ups that would making exiting their parking lots near impossible. No action was taken and was presented as an information item only.

CLOSED SESSION: Upon a motion by Commissioner Bryson and seconded by Commissioner Greene the Board unanimously voted to go into closed session to discuss contractual matters and property acquisition. During closed session School Superintendent Dr. Rodney Shotwell briefed the Board on a contractual and financial matter concerning the Board of Education. No formal action was required and the general consensus of the Board was in agreement with the Board of Education's plans. No action was taken in closed session and upon a motion by Commissioner Bryson and seconded by Commissioner Greene the Board returned to regular session.

REGULAR SESSION: The Board briefly discussed the following items but took to formal votes: instructed the County Manager to reject an offer on two lots in Nantahala and invite a counter-offer; generally agreed to take no action on release of EMS fees for the Deal estate and agreed to pursue a rezoning petition to commercial of the county garage property.

ADJOURNMENT: Upon a motion by Commissioner West the Board unanimously voted to adjourn.

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

Harold P. Corbin
Board Chairman