

MACON COUNTY BOARD OF COMMISSIONERS  
NANTAHALA EMS BUILDING  
APRIL 7, 2003  
MINUTES

Chairman West convened the meeting at 4 p.m. at the Nantahala EMS Building as posted and welcomed everyone. All Board Members, except Commissioner Simpson who arrived late, the County Manager, County Attorney, Deputy Clerk, County Finance Director, members of the news media and interested citizens were present. Rev. Lewis Welch from Junaluska Baptist Church gave the invocation.

MINUTES: Commissioner Bryson made a motion to approve the minutes from the March 3rd and 17th meetings as submitted with correction of two typographical errors. The motion was seconded by Commissioner Leatherman and all favored.

PUBLIC SESSION

Jimmy Godsey stated at a forum held in Nantahala before the election the new commissioners said they would "throw out" the four year evaluation process and go back to the eight year cycles and questioned what their intent now is. Commissioner Shepherd responded he was one of those and since being elected has studied the matter finding that after changing to the four-year cycle it would cost more to change than to leave it as is. (Note: Commissioner Simpson arrived at this time.) Commissioner Bryson stated he voted against implementing the four-year cycle and would support going back to an eight-year cycle. Commissioner Simpson stated when he took office the four year cycle was in place and was completed for this year so nothing could be done. The County Attorney was asked to comment and confirmed that when the new members came on board, the first four year revaluation was almost completed noting that a revaluation does not happen in a couple of months. He added that both cycles have advantages and the reason for a reappraisal is fairness. Cecil Day stated he lived fifteen miles from the lake, EMS building and fire station, that property surrounding his was valued at \$1,000 acres but his was much higher. Mr. Day added he had talked with Richard Lightner who said the State had taken over land values. Board Members stated they would check with Mr. Lightner and get back with him. Norm Roberts stated the Board needed to remember the other side of the equation in revaluation and taxation, county spending.

ROAP PUBLIC HEARING

Chairman West recessed the meeting at 4:30 p.m. to convene the public hearing on the proposed Rural Operating Assistance (ROAP) application to be submitted to the North Carolina Department of Transportation. Transit Director Kim Angel explained funding will be used to provide additional transportation services for the elderly, disabled and general public. Norm Roberts questioned who could use the service. Don Swanson questioned who determined the "fixed" route and Jimmy Goodman stated grants do not fall from the sky and are tax dollars. Ms. Angel responded to the comments/questions. There were no further comments and Commissioner Bryson made a motion to adjourn the public hearing. The motion was seconded by Commissioner Shepherd and all favored. Chairman West reconvened the Board in regular session.

ROAP CERTIFICED STATEMENT: Upon a motion by Commissioner Simpson, seconded by Commissioner Leatherman, the Board unanimously voted to approve the certified statement pertaining to the Rural Operating Assistance Program (ROAP) grant application and authorize execution of the same per attachment #1.

BOARD OF EDUCATION: Public School Building Capital Funds  
School Superintendent, Dr. Rodney Shotwell, requested permission to use \$175,380 of the Public School Building Capital Funds as match for extending town water and sewer to Macon Middle School in order to eliminate a sewage treatment plant and provide an adequate water supply for the school per attachment #2. Upon a motion by Commissioner Simpson and seconded by Commissioner Shepherd the Board unanimously approved the request as submitted. Highlands School project sitework bids: County Manager, Sam Greenwood, reported sitework at the Highlands School had been advertised and the following bids were received:

Aldridge Brothers	\$ 84,916
Donald Holland	\$138,000
Larry Rogers Construction	\$136,126
Stillwell Enterprises	\$289,220

Mr. Greenwood presented a letter from Aldridge Brothers advising after review of their bid they discovered they had miscalculated the quantity of excavation and requested their bid be removed from consideration. After discussion Commissioner Bryson made a motion to authorize Aldridge to withdraw the bid and to award the bid to the next low bidder, Larry Rogers Construction, at \$136,126. The motion was seconded by Commissioner Simpson and all favored.

SHERIFF'S DEPARTMENT: Sheriff Robbie Holland reported since taking office in December, 2002 that officers have responded to 164 false alarms and during the 2002 year 650 false alarms were responded to. Sheriff Holland explained these are residential security alarms, not fire alarms, and many are repetitive calls. Sheriff Holland requested permission to implement a service fee for frivolous residential alarm calls as follows: the first alarm free with a letter being sent to the homeowner requesting they correct the problem within 10 business days and any calls thereafter on a sliding fee up to \$150. The Sheriff also requested permission to use his discretion to waive the fee if a good faith effort is being made to repair a faulty system after the ten-day deadline. Commissioner Simpson made a motion to approve the recommendation as presented. The motion was seconded by Commissioner Bryson and all favored. (Attachment #3)

SOCIAL SERVICES/HEALTH: Upon a motion by Commissioner Leatherman and Seconded by Commissioner Bryson the Board unanimously voted to accept the recommendation made at the March 3rd meeting that the Health Department be designated as the lead agency for administering the Medicaid Community Alternatives Program for disabled adults and current personnel associated with the program be transferred from DSS to the Health Department. It was noted this would mean no additional personnel at this time.

APPOINTMENTS: Criminal Justice Partnership Committee (CJPC) Commissioner Simpson made a motion to accept a recommendation to appoint Teresa McDowell as a replacement for Bob Scott on the CJPC committee with a term to expire September 30, 2003. The motion was seconded by Commissioner Leatherman and all favored. Board of Adjustments. Upon a motion by Commissioner Bryson and seconded by Commissioner Simpson the Board unanimously voted to reappoint Jim Davis to the Board of Adjustments and to appoint Tony Potts as the Highlands representative. Terms will expire April 23, 2006. Planning Board - Upon a motion by Commissioner Simpson and seconded by Commissioner Shepherd the Board unanimously voted to reappoint Susan Erwin and Richard Baldwin (Nantahala representative) to the Planning Board. Terms will expire April 23, 2006.

TAX RELEASES: Upon a motion by Commissioner Simpson and seconded by Commissioner Shepherd the Board unanimously approved tax releases in the amount of \$3,546.89 as submitted. (A computer printout of releases is on file in the Tax Department and the County Manager's Office.)

FINANCE: Financing resolutions (a) Upon a motion by Commissioner Bryson and seconded by commissioner Shepherd the Board unanimously voted to adopt a resolution declaring intent to reimburse the County from the proceeds of one or more tax-exempt financing for certain expenditures made in connection with certain capital improvements per attachment #4. (b) Upon a motion by Commissioner Simpson and seconded by Commissioner Bryson the Board unanimously voted to adopt a resolution authorizing the negotiation of an installment purchase contract and application to LGC per attachment #5. Budget Revision : The following budget revisions were unanimously approved: revision #126, upon a motion by Commissioner Leatherman and seconded by Commissioner Shepherd, transferring \$475 for purchase of a trailer for Nantahala EMS; revision #127, upon a motion by Commissioner Bryson and seconded by Commissioner Leatherman, budgeting a \$3,224 vehicle insurance claim for the Sheriff's Department; revision #128, upon a motion by Commissioner Shepherd and seconded by Commissioner Leatherman, budgeting \$4,762 insurance claim for Transit; revision #129, upon a motion by Commissioner Simpson and seconded by Commissioner Bryson, transferring \$3,000 RGTP funds from DSS to Transit; revision #130, upon a motion by Commissioner Leatherman and seconded by Commissioner Shepherd, appropriating \$7,500 state funding for Healthy Carolinians; revision #131, action delayed until May meeting pending further information; revision #132, upon a motion by Commissioner Bryson and seconded by Commissioner Leatherman, appropriating \$830 for March of Dines grant; revision #133, upon a motion by Commissioner Shepherd and seconded by Commissioner Leatherman, increasing DSS Food Stamp funding by \$2,000; revision #134, upon a motion by Commissioner Bryson and seconded by Commissioner Simpson,

appropriating \$316 drug forfeitures in the Sheriff's Department; and revision #144, upon a motion by Commissioner Shepherd and seconded by Commissioner Simpson appropriating \$68,182 wireline fund balance for 911 telephone system upgrade. (Note: revisions with corresponding numbers are attached.)

OLD MURPHY ROAD PROPERTY: County Manager Sam Greenwood reported county garage and maintenance operations will be moving to their new facility soon and vacating the Old Murphy Road Property. Mr. Greenwood added efforts to have the property rezoned commercial have been successful and requested authorization to update the appraisal, that the property be declared surplus and to authorize advertisement for sale. Upon a motion by Commissioner Bryson and seconded by Commissioner Simpson the Board unanimously voted to authorize an appraisal update, declare the property surplus and advertisement for sale as requested.

CLOSED SESSION: The County Attorney advised there was a contractual, and legal matter involving a right-of-way that needed to be discussed in closed session. Commissioner Bryson made a motion to go into closed session to discuss the above referenced items. The motion was seconded by Commissioner Simpson and all favored. During closed session the County Attorney gave an update on two legal matters. No action was taken and upon a motion by Commissioner Shepherd and seconded by Commissioner Bryson the Board unanimously voted to return to regular session.

RIGHT-OF-WAY-DEPARTMENT ON AGING/WALMART PLAZA: The County Attorney reported an appraisal on the right-of-way near the Department on Aging/Walmart Plaza has been completed and upon a motion by Commissioner Bryson, seconded by Commissioner Shepherd, the Attorney was authorized to proceed handling the matter as a negotiated offer using the appraisal figures as presented.

DUKE ENERGY/HAYES RIVER PROPERTY: The County Attorney reported when certain parcels of property from various owners were transferred to the County portions of the property were within the banks or near the Tennessee River and, as part of these transfer agreements, the County agreed to transfer portions of the river to the FERC line to Duke Energy. Also included in the transfer agreement was a 7.491 acre tract received by the County as a gift from the Hayes heirs. Other properties concerned are: the 2.86 Hayes tract (mineral rights), 6.029 Hayes tract, .75 acre tract from Zickgraf Hardwood. Mr. Jones added he had drafted deeds retaining rights for accessibility to the Greenway where necessary and requested approval to complete the conveyances and authorize execution of the deeds. Chairman West requested permission to abstain from the vote since he is an employ of Duke Energy. Upon a motion by Commissioner Simpson and seconded by Commissioner Bryson the Board unanimously granted permission for Chairman West to abstain. The gavel was passed to Vice-Chairman Bryson who called for a motion. Chairman Shepherd made a motion to authorize the transfer of the property as presented and authorize execution of the necessary documents. The motion was seconded by Commissioner Simpson and passed unanimously with Chairman West abstaining. The gavel was returned to Chairman West.

ADJOURNMENT: Upon a motion by Commissioner Leatherman the meeting was adjourned and was followed by dedication and open house of the Nantahala EMS building.

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

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Mark B. West  
Board Chairman