

MACON COUNTY BOARD OF COMMISSIONERS
MAY 3, 2004
MINUTES

Chairman West convened the meeting at 6 p.m. All Board Members, the County Manager, County Attorney, Staff Attorney, Deputy Clerk, County Finance Director, members of the news media and interested citizens were present. Rev. Joe Sustarsic from First Baptist Church gave the invocation and offered a special prayer for the Maney family who recently had two members fatally shot.

PLANNING BOARD PRESENTATION: A presentation by the Planning Board was added to the agenda. Planning Board Chairman Ronnie Beale introduced Planning Board Members Larry Stenger, Jimmy Goodman and Susan Erwin. Mr. Beale stated the Board of Commissioners has asked the Planning Board to propose an ordinance to regulate certain high impact land uses and a series of community meetings has been scheduled to hear the concerns of the citizens on the issue. Susan Erwin emphasized the meetings were not public hearings but meetings to listen and make notes of what the citizens think in order to base the proposed ordinance on community input. Mr. Beale noted the meetings schedule will be publicized and requested the support of the Board in the process. No action was necessary at this time.

MINUTES: Upon motion by Commissioner Simpson and seconded by Commissioner Shepherd the minutes of the April 12, 2004 meeting were unanimously approved as submitted.

PUBLIC SESSION: Kathy Hildreth, Lower Burningtown Road resident, stated concerns that Macon County does not have a noise ordinance and asked what she could do to help correct this problem. Chairman West stated the Planning Board is looking at different matters, which would include this one, and suggested Ms. Hildreth attend a Planning Board meeting and/or the public meetings the Planning Board will be holding in the near future. Narelle Kirkland requested the Board consider a moratorium on tract development for more than two homes on five acres unless family owned stating we must do the utmost to preserve our mountains that are the true gems of the area.

ADDITIONS/ADJUSTMENTS: The following items were added to the agenda: comments about schools, change of meeting dates and the Macon County Housing Authority/Chestnut Hills.

ROAD NAME: Commissioner Bryson made a motion to name an access road off Highland Woods Drive as Woods Edge Trail as noticed at the March public hearing with a note that the access road now services three houses and must be named in accordance with County Ordinance. The motion was seconded by Commissioner Simpson and all favored. Don Chapman, a resident on the road, repeated his request made at the public hearing that the road name remain as is.

BUDGETS: Home Community Care Block Grant - Department on Aging Director Jan Moore presented the proposed Home and Community Care for Older Adults budget for FY 2004/2005 and requested approval contingent upon adoption of the county's budget explaining the State requires submission of the budget before the county budget is scheduled for adoption. Upon motion by Commissioner Leatherman and seconded by Commissioner Bryson the Board unanimously voted to approve the budget as presented, per attachment #1, contingent upon adoption of the county's budget. DJJDP - Ken Ring, Chairman of DJJDP, presented the DJJDP funding plan for FY 2004-2005 with the explanation that this budget also has to be submitted to the State prior to when the county budget is scheduled for adoption. Upon motion of Commissioner Simpson and seconded by Commissioner Shepherd the Board unanimously voted to approve the plan as submitted, per attachment #2, contingent upon approval of the county budget.

LIBRARY EXPANSION: Library Board Chairman Randolph Bulgin and Architect Tom Ritter were present for updates on the library expansion program and stated the Library Board is ready to move forward. Commissioner Simpson congratulated the Library Board on the presentation made at the April meeting and noted that the proposed facility will be constructed with county money and no state money. Commissioner Simpson made a motion, then modified the motion to state that the county move forward with the library project as presented in the recent study and to charge the Library Building Committee (composed of representatives from the Library Board and Commissioners Shepherd and Simpson from the Board of Commissioners) to bring back to the Board of Commissioners cost figures for a basic library plan that can be expanded in the future. The motion was seconded by Commissioner Shepherd and all favored.

FARMLAND PRESERVATION COMMITTEE: Upon motion by Commissioner Bryson and seconded by Commissioner Leatherman the Board unanimously voted to table appointments to the Farmland Preservation Committee.

SURPLUS PROPERTY: An offer of \$1,130, the current tax value, from Douglas O. Lewis to purchase a one-half acre tract of land in the Hickory Knoll Community that the county obtained through tax foreclosure proceedings was presented. It was noted Mr. Lewis's property surrounds the tract and the property has limited access. Commissioner Leatherman made a motion to declare the property as surplus, authorize for sale, accept Mr. Lewis's offer as a negotiated offer and authorize advertisement for upset bids as required by law. The motion was seconded by Commissioner Simpson and all favored.

HIGHLANDS RECREATION: The possibility of the County assuming responsibility for operation of the entire Highlands recreation program, civic center, pool, baseball fields, etc. and leasing the civic center for one-dollar a year was discussed. Commissioner Bryson made a motion that he be authorized to approach the Town of Highlands with the proposal. The motion was seconded by Commissioner Leatherman and all favored.

TAX RELEASES: Upon motion by Commissioner Leatherman and seconded by Commissioner Simpson the Board unanimously voted to approve tax releases in the amount of \$1,396.27 as submitted. (A printout of releases is on file in the Tax Department and the County Manager's Office.)

FINANCE: CDBG Project Ordinance - Upon motion by Commissioner Bryson and seconded by Commissioner Leatherman the Board unanimously voted to adopt the CDBG Grant Project Ordinance for Scattered Site Rehabilitation Project 04-C-1234 per attachment #3. Budget revisions - The following budget revisions were unanimously approved: revision #153, upon motion by Commissioner Shepherd and seconded by Commissioner Simpson, appropriating \$10,000 increase in state funding for BCCCP; revision #154, upon motion by Commissioner Simpson and seconded by Commissioner Bryson, appropriating \$9,352 addition DSS Crisis Intervention Prevention funding; revision #155, upon motion by Commissioner Bryson and seconded by Commissioner Simpson, appropriating \$961 addition DSS Energy Administration funds; revision #156, upon motion by Commissioner Bryson and seconded by Commissioner Leatherman, appropriating \$1,234 final funds in the Highlands Offices Capital Project; and revision #157, upon motion by Commissioner Bryson and seconded by Commissioner Simpson, appropriating CDBG Grant #04-C-1234. (Note: revisions with corresponding numbers are attached.)

MEETING CHANGES: Upon motion by Commissioner Simpson and seconded by Commissioner Bryson the Board unanimously voted to make the following meeting changes: June 7, 2004 to June 14, 2004,; due to Independence Day holiday, schedule the July meeting for Monday, July 12, 2004; due to Labor Day holiday, schedule the September meeting for Tuesday, September 7, 2004. All meetings will convene at 6 p.m. in the Commissioners Board Room on the fourth floor of the Macon County Courthouse.

SCHOOLS: Commissioner Simpson stated he had received several comments in response to a recent newspaper article concerning the county supplement for teachers and just wanted to make the public aware this is still in the process.

CLOSED SESSION: Upon motion by Commissioner Simpson and seconded by Commissioner Shepherd the Board unanimously voted to go into closed session to discuss matters of potential litigation. The referenced items were discussed in closed session with no action being taken. Upon motion by Commissioner Bryson and seconded by Commissioner Simpson the Board returned to regular session:

CHESTNUT HILL AT HIGHLANDS RETIREMENT COMMUNITY: Pursuant to information received from Barbara Christy, attorney for Chestnut Hill at Highlands, LLC, the Board, the Staff Attorney and the County Attorney discussed the proposal of Chestnut Hill of Highlands Properties, LLC, and Bell Abingdon Properties, LLC, to jointly acquire a ground lease interest in the Chestnut Hill retirement community which would require certain consents and authorizations from the Board of Commissioners and the Board of Directors of the Macon County Housing Finance Corporation. The Staff Attorney and the County Attorney advised the board that the transaction would require the execution of certain documents by the County and the Macon County Housing Finance Corporation to clear the title to the property and eliminate any potential claims arising out of the issuance of 1997 Series A and Series B bonds by the Macon County Housing Finance Corporation for the original financing of the project. Commissioner Leatherman made a motion that the Board delegate the responsibility for acting on this matter to the Chairman and Vice-

Chairman with full authority to execute any documents on behalf of the County which the Staff Attorney and the County Attorney deemed necessary and appropriate for the purposes stated in the discussion. Commissioner Shepherd seconded the motion and it passed unanimously.

MACON COUNTY HOUSING FINANCE CORPORATION: The Board, the Staff Attorney and the County Attorney briefly discussed the future status of the Macon County Housing Finance Corporation after the Chestnut Hill at Highlands transaction was finalized. The Board agreed that the corporation would remain in place until the Staff Attorney or County Attorney made further recommendations as to the continuation of its existence.

RECESS: Commissioner Shepherd made a motion to recess until 6 p.m. on May 24, 2004 with a note the annual secondary roads hearing will be held at 10 a.m. on May 12, 2004.

Sam K. Greenwood, County Manager
Clerk to the Board

Mark B. West
Board Chairman

Minutes
05/03/04
Page #1