

MACON COUNTY BOARD OF COMMISSIONERS
FEBRUARY 7, 2005
MINUTES

Chairman Bryson convened the meeting at 6 p.m. All Board Members with the exception of Commissioner Davis who was excused due to illness, the County Manager, County Attorney, Staff Attorney, Interim Finance Director, Deputy Clerk, members of the news media and interested citizens were present. Commissioner Shepherd gave the invocation.

MINUTES: Upon motion by Commissioner Simpson and seconded by Commissioner Leatherman the Board unanimously voted to approve the minutes of the January 3, 2005, meeting as submitted.

AGENDA ADDITIONS/ADJUSTMENTS: Commissioner Simpson requested a tax exemption resolution matter and a fund raising issue be added to the agenda. Commissioner Leatherman requested addition of a matter related to economic development.

SCC LEADERSHIP GROUP: SCC Macon Center Director of Extension Education Hank Shuler recognized the current Macon Leadership Group and expressed appreciation to the Board for their continuing support.

PUBLIC SESSION: Alan Allman stated he was of the opinion that the signs on the doors of the Courthouse concerning consent to search and the metal detectors outside the courtrooms are unconstitutional and requested that both be removed. Narrelle Kirkland expressed concern that a house near Nickajack Road and another near Peek's Creek are being constructed very near the river, that she had been coming to Board meetings for four years and suggested using the CR facility when vacant for manufacture of windmills.

AUDIT PRESENTATION: Brian Starnes of Martin Starnes and Associates CPAs presented the FY 2003/2004 audit report giving an unqualified opinion with no reportable conditions related to internal controls or compliance. (Note: A copy of the audit is on file in the Finance Department, the County Manager's Office and the three county libraries.)

CALIFF APPEAL – PEAK'S CREEK: Ray Califf, Jr. presented his appeal to the Finding in Fact and Order of the County's Building Inspector on the small structure that remains on his Peek's Creek property and requested an extension in order to determine what FEMA or other agencies might offer, if he will be able to install a septic system, etc. Staff Attorney Rick Moorefield and Building Inspector Jack Morgan explained if contractors complete work on cleaning the area prior to a decision that Mr. Califf will have to bear the cost of clearing the property. Mr. Califf stated he understood the consequences and agreed to bear cost if county contractors have completed the project when a decision is made. Upon motion by Commissioner Leatherman and seconded by Commissioner Simpson the Board unanimously voted to table consideration of the appeal until the March meeting.

TAX DEPARTMENT: Releases - Upon motion by Commissioner Simpson and seconded by Commissioner Leatherman the Board unanimously voted to approve tax releases in the amount of \$251,372.72. (A print out of releases is on file in the Tax Collector's Office and the County Manager's Office.)
Uncollected tax reports - Pursuant to NCGS §105-369(a) Commissioner Simpson made a motion to accept the uncollected tax report from the Tax Collector showing the amount due on 2004 real property taxes as of January 31, 2005 as \$1,221,206.02 and authorize for advertisement as required by law. The motion was seconded by Commissioner Leatherman and all favored.

Tax appeal - Commissioner Simpson made a motion to convene as the Board of Equalization and Review to hear the tax appeal from Franklin Aviation. The motion was seconded by Commissioner Shepherd and all favored. Chairman Bryson convened the session and recognized Neil Hoppe from Franklin Aviation. Mr. Hoppe introduced his attorneys Guy Clerici and Stephen Grabenstein. Mr. Grabenstein introduced Appraiser

Tom Steitler and questioned him establishing credentials, experience and methodology used in preparing the appraisal for Franklin Aviation. Upon completion of questioning of Mr. Steitler by Mr. Grabenstein Staff Attorney Rick Moorefield cross-examined Mr. Steitler. The Staff Attorney then made a recommendation on the valuation of the leasehold interest of Franklin Aviation as established by Tax Supervisor Richard Lightner and himself. Mr. Lightner explained the process provided by North Carolina General Statutes to establish values of leasehold interests, and indicated that he had never received complete income and expense information he requested from Franklin Aviation. The Tax Supervisor reported that he concurred in the Staff Attorney's recommendation. Commissioner Simpson made a motion to accept the recommendations of the Attorney and Tax Supervisor for the years 1999 through 2004 as presented per attachment #1. The motion was seconded by Commissioner Shepherd and all favored. Commissioner Leatherman made a motion to adjourn the Board of E&R and return to regular session. The motion was seconded by Commissioner Shepherd and all favored.

APPOINTMENTS: Economic Development Commission – Upon motion by Commissioner Simpson and seconded by Commissioner Shepherd the Board unanimously voted to appoint Mark West to the Economic Development Commission. Term will expire January 31, 2008. Town Board of Adjustments (ETJ) – Commissioner Simpson made a motion to reappoint Gus Wilde and Lloyd Swift to the ETJ and appoint Bobby Peek, Bill Jamison and Johnny Waldroop to fill three other vacancies. Commissioner Simpson withdrew his motion pending contact of the appointees to determine if they are willing to serve. The item was tabled until the March meeting.

FINANCE: Public School Building Capital Funds – Commissioner Simpson made a motion to approve a request from the schools to move \$180,750 Public School Capital Funds to technology per attachment #2. Capital Project Ordinances (Airport) – Upon motion by Commissioner Simpson and seconded by Commissioner Shepherd the Board unanimously adopted a Capital Project Ordinance of \$166,667 for airport perimeter security fencing, project #36127.1.5.1. (Attachment #3) Commissioner Simpson made a motion to approve attached budget

revision #48 budgeting the \$166,667 funding. The motion was seconded by Commissioner Shepherd and all favored. Commissioner Leatherman made a motion to adopt a Capital Project Ordinance of \$166,667 for airport improvements, Project #36237.1.4.1. (Attachment #4) The motion was seconded by Commissioner Simpson and all favored. Upon motion by Commissioner Leatherman and seconded by Commissioner Simpson the Board unanimously approved attached budget

revision #49 budgeting the \$166,000. Commissioner Shepherd made a motion to adopt a Capital Project Ordinance of \$833,333 for airport runway extension Project #36237.1.5.2 (Attachment #5) The motion was seconded by Commissioner Leatherman and all favored. Upon motion by Commissioner Simpson and seconded by Commissioner Leatherman the Board unanimously approved attached budget

revision #50 budgeting the \$833,333. Budget revisions – The following budget revisions were unanimously approved:

revision #51, upon motion by Commissioner Simpson and seconded by Commissioner Shepherd, appropriating \$67,205 for State Homeland Security Grant Program;

revision #52, upon motion by Commissioner Simpson and seconded by Commissioner Shepherd, appropriating \$14,482 Health Resource Services Administration Grant;

revision #53, upon motion by Commissioner Shepherd and seconded by Commissioner Simpson, appropriating \$98,630 grant for school health nurse;

revision #54, upon motion by Commissioner Leatherman and seconded by Commissioner Simpson, appropriating \$1,829 for immunization in Health Department;

revision #55, upon motion by Commissioner Simpson and seconded by Commissioner Shepherd, appropriating \$41,400 Medicaid cost settlement funds in prior year;

revisi on #56, upon moti on by Commi ssi oner Si mpson and seconded by Commi ssi oner Leatherman, appropriati ng \$3,500 LIFE Program i ncrease;

revisi on #57 was a dupli cate and voided;

revisi on #58, upon moti on by Commi ssi oner Shepherd and seconded by Commi ssi oner Si mpson, budgeti ng \$105,514 for Mul ti ple Response System Chi ld Protecti ve Servi ces;

revisi on #59, upon moti on by Commi ssi oner Si mpson and seconded by Commi ssi oner Shepherd, appropriati ng \$13,559 Emergency Management Grant funds;

revisi on #60, upon moti on by Commi ssi oner Leatherman and seconded by Commi ssi oner Si mpson, appropriati ng \$607 i n federal forfei ture funds;

revisi on #61, upon a moti on by Commi ssi oner Shepherd and seconded by Commi ssi oner Si mpson, appropriati ng \$858 i nsurance rei mbursement for EMS vehi cle;

revisi on #62, upon moti on by Commi ssi oner Si mpson and seconded by Commi ssi oner Leatherman, appropriati ng \$5,213 i ncrease i n Family Pl anni ng funds;

revisi on #63, upon moti on by Commi ssi oner Shepherd and seconded by Commi ssi oner Leatherman, appropriati ng \$978 federal forfei ture funds;

revisi on #64, upon moti on by Commi ssi oner Si mpson and seconded by Commi ssi oner Leatherman, appropriati ng \$987 drug forfei ture funds;

revisi on #65, upon moti on by Commi ssi oner Si mpson and seconded by Commi ssi oner Shepherd, appropriati ng \$2,988 proceeds from ai r show;

revisi on #66, upon moti on by Commi ssi oner Si mpson and seconded by Commi ssi oner Leatherman, appropriati ng \$1,100 donati ons for fi re i nvesti gati on team;

revisi on #67, upon moti on by Commi ssi oner Shepherd and seconded by Commi ssi oner Si mpson, appropriati ng \$645 i nsurance rei mbursement for Sol id Waste vehi cle;

revisi on #68, upon moti on by Commi ssi oner Leatherman and seconded by Commi ssi oner Shepherd, appropriati ng \$4,400 for BTIO Program and

revisi on #69, upon moti on by Commi ssi oner Shepherd and seconded by Commi ssi oner Si mpson, appropriati ng \$5,001 for BTIO Program. (Note: Revi si ons wi th correspondi ng numbers are attached.)

ROTARY PROCLAMATION: Upon moti on by Commi ssi oner Shepherd and seconded by Commi ssi oner Si mpson the Board unani mously voted to adopt a procl amati on procl ai mi ng February 23, 2005, as Rotary Internati onal Day i n Macon County per Attachme nt #6.

TAX EXEMPTION: Commi ssi oner Si mpson requested consi derati on of a homestead tax exempti on for permanent resi dents and made a moti on that a letter requesti ng support of such an exempti on be sent to the County' s Legi slati ve del egati on. The moti on was seconded by Commi ssi oner Leatherman and all favored.

FUND RAISER/PEEK' S CREEK: Commi ssi oner Si mpson and Narelle Kirkl and presented a proposal from Time Capsule Video for producti on of a video of the Peek' s Creek di saster whi ch would require \$10,000 seed money. After di scussi on the general consensu s was that tax funds/county money coul d not be used for thi s type expendi ture and suggested checki ng wi th Western Caroli na or other sources.

COUNTY MOTTO: Commi ssi oner Leatherman stated surroundi ng county' s were erecti ng welcome si gns wi th mottos, etc. at county l i nes and suggested Macon County consi der adopti ng a motto and devel opi ng si gns. After di scussi on i t was agreed Commi ssi oner Leatherman woul d take the i dea to the EDC for i nput and/or devel opment.

CLOSED SESSION: Upon moti on by Commi ssi oner Leatherman and seconded by Commi ssi oner Si mpson the Board unani mously voted to go i nto cl osed sessi on to di scuss a legal

matter. During closed session the above referenced was discussed with no action being taken. Upon motion by Commissioner Simpson and seconded by Commissioner Leatherman the Board returned to regular session.

AGREEMENT WITH JACKSON COUNTY: Commissioner Simpson made a motion to approve a contract and agreement between Jackson and Macon County relating to termination of the solid waste agreement between the two counties. The motion was seconded by Commissioner Leatherman and all favored. (Attachment #7.)

AJOURNMENT: Upon motion by Commissioner Simpson the meeting was adjourned.

Sam K. Greenwood, County Manager
Clerk to the Board

Daniel A. Bryson
Board Chairman

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