

MACON COUNTY BOARD OF COMMISSIONERS
JULY 10, 2006
PUBLIC HEARING
MINUTES

Chairman Bryson convened the public hearing on the proposed Subdivision Control Ordinance at 5:30 p.m. in the Board Room as noticed. All Board Members, the County Manager, Deputy Clerk, Finance Officer, County Attorney, members of the news media and interested citizens were present.

The meeting was immediately recessed to reconvene in Courtroom A in order to accommodate the large crowd present. Chairman Bryson welcomed everyone and recognized Commissioner Leatherman who is liaison to the Planning Board. Commissioner Leatherman gave a history of the development of the ordinance, defined and explained certain aspects of the proposed ordinance such as the definition of a subdivision. He also presented suggestions for changes/additions to the ordinance discussed at the June 21st meeting of the Planning Board.

The following people spoke at the hearing:

Bill Vernon stated he was a developer and the proposed ordinance will affect all county property and that the ordinance does not address public health and safety. He requested if the Board is going to pass laws to give guidelines, be reasonable and involve builders, developers and environmentalist.

Jeff Gordon stated he had developed over eight hundred acres and agreed with reasonable regulations. He added that state roads in the county do not meet state standards and discussed the problems of developers surveying large acreages for development.

Betsy Whitlock stated she is a local realtor and stated we do not need the proposed ordinance but an ordinance that is workable and understandable. She stated the proposed ordinance leaves too much to judgment within governmental agencies and she wanted an ordinance that was a real ordinance.

Don Alexander stated he moved from Fairfax, Virginia and about fifteen years ago the county made a tough decision to establish certain standards and enforced those standards. He urged the Board to set high standards and if people want to build here they will meet those standards.

Charles Greenwood stated he owns property in Cowee and lives in a watershed area. He expressed concerns about wells in a development near him and the impact the development will have on fire department, i.e. roads for fire access, lightning strikes and weight of tankers on bridges.

Art Dewitt, a local realtor, stated basically all his comments had been made and feels a minimal ordinance is a portal. He stated growth verses growth management and expressed concerns about the fourteen week lapse on septic system inspections/permits.

Charles Goodenough stated he was an eighty-seven day resident of Cowee Valley and was proud to be here. He stated the ordinance needs work in a couple of areas and does not address affordable housing.

Richie Jones stated he had been too busy or not in the right place to get information on terms of the ordinance and made reference to an ad in the Macon County News and Shopping Guide. Mr. Jones stated a lot of people are concerned and have a right to understand the ordinance. He added that the people of Macon County have a sense of responsibility to see that things are done right and he feels the ordinance needs more discussion, and more knowledge out in the community. He expressed the need for rules and regulations that are clear with a provision for variances.

Maurice Jones, retired WCU professor, stated his concerns are enforcement, flexibility and translation. He also expressed concerns about the current situation with septic inspections stated he had recently placed a call and was sixty-two on the list.

Bonnie Pickartz, co-owner of Goshen Timber Frames, expressed concerns that the Planning Board was not given time to review and approve the proposed ordinance. Ms. Pickartz encouraged an ordinance and policy to protect the citizens and encouraged the Board to reconsider the proposed ordinance and work toward a more reasonable ordinance because the proposed ordinance offers little protection.

Ed Gettys stated he was retired and expressed concerns about steep slopes. He added that he supports the ideas behind the proposed ordinance and felt the need for more to sustain growth of the county.

Bob Scott stated he was semi-retired and in support of subdivision and land use regulations. He added that he was concerned about the future and growth factors that will impact political, economic, environmental and affordable housing issues.

Anne Seaton referred to a recent ad in the Macon County News and Shopping Guide stating if the ad motivated anyone to read the document she applauded it but if it motivated anyone to come to the hearing and make heated comments about something they did not understand she did not applaud it. Ms. Seaton stated what the ordinance says to her is if you develop you will be responsible, that it says do it right and if you don't do not hold the government responsible.

Bill Crawford stated he was retired, a native Maconian, a school bus driver and a member of WNC Alliance. He expressed support for the ordinance and stated if the Board adopts the ordinance "our" grandchildren and great grandchildren will thank them.

Bill Vanhorn expressed appreciation to the Planning Board and all involved in getting the ordinance to this point. He stated he felt this is a good first step and will help the future of Macon Count by protecting the mountains and their beauty. He requested the Board to continue to work on growth issues to protect the beauty and rights of the citizens.

Allan Allman expressed opposition to the ordinance and stated as he read the ordinance it would only generate revenue, raise taxes and bureaucracy of county government. He stated this is another little step toward county-wide zoning and asked the Board to see the proposed ordinance for what it is and "stop it in its tracks".

Bill McLarney, twenty-three year biologist in Macon County, stated he had been requested to do a stream evaluation at Cowee Fork and discussed the results which showed the changes were some of the worst he had ever seen in a one year period. He added the change was probably caused by sediment from the Wildflower Development and stated due to lack of regulations conflicts are created when people on the top of the mountain have enjoyment of their property and people at the bottom are not allowed the same enjoyment due to erosion, run-off, etc. Mr. McLarney advocated future planning.

Barbara Miller, resident in the Turtle Pond area, stated she was the speaker for a family who is trying to keep the land in their family. She explained they have sixty acres and may have to sell an acre or so in order to keep the property and under the ordinance they will have to follow the same regulations as someone doing a two-hundred lot subdivision. Ms. Miller asked that the Board think about this before voting on the proposed ordinance.

Van Rogers asked the Board to slow down and expressed concerns that a lot of support for the ordinance is from environmentalist who are working on

grants. Mr. Rogers urged the Board to slow down and get "it" right.

Dick Haywood, a retired engineer and Otto resident, expressed support for the ordinance stating it was a good first step and the sensible thing to do to shape the path of development that will influence the quality of life in Macon County. Mr. Haywood requested the Board to ask the Planning Board to look at other issues.

Wally Walsh, stated he is a retired resident and is concerned about the proposed ordinance especially being allowed to sell an acre or two without being considered a developer. He also expressed the opinion that government doesn't need to protect everybody from every problem.

Martha Younce, a native Maconian, housewife and retired nurse, expressed concerns about ridgetop and steep developments stating people are coming here for the view and with continued development the views will be gone. Ms. Younce expressed appreciation to the committee (Planning Board) and advocated passing the ordinance as a start.

Richard Hasel stated he was a fifteen year resident and felt the proposed ordinance will not work and expressed concerns that enforcement would be under the control of an individual. Mr. Hassel also made comments concerning problems with the County Code Enforcement Administrator.

Betty McMahan stated she is a widow living on Cowee Mountain in the Coon Creek area and her property is all that is left of a life's work. Ms. McMaha expressed concerns that she may need to sell some of property to be able to keep it and under the proposed ordinance she would be classified as a subdivision. She requested the Board to not take away her freedom and right to live.

April Moore registered to speak but wasn't present when called.

Roger Turner stated he has property near Corbin Knob, is a member of WNC Alliance and supports the process to adopt the ordinance, Ms. Turner stated all of folks are troubled because of a lot of misunderstanding.

Margaret Hutchinson stated her father had bought property forty-six years ago and as the current trustee she was doing all she could to keep it for his grandchildren explaining that she may need to sell an acre or so in order to retain the remainder. She requested the Board to not take that right away.

Susan Erwin, Planning Board member, stated there are countless examples that show restrictions can be profitable and that eighty-five percent of North Carolina counties have subdivision ordinances. She added that she felt enactment of the ordinance would be acting in the best tradition of government and, if enacted, encouraged full enforcement of this ordinance and all other codes. Ms. Erwin also requested the Board to give the Planning Board a clear assignment, to take steps and not stand still.

Angela Fay Martin stated she was a local songwriter and musician and used the beauty of the mountains as inspiration. She added that she was concerned about the state of the county watershed(s) and applauded the good ordinance presented and good enforcement of the ordinance. Ms. Martin read a poem she had written relating to preservation of the area's beauty.

Charlie Cowie stated to say we do not need rules is foolish, any rules need variances and when or if an ordinance is adopted requested the Board to use common sense. He also stated the time element in approval under any ordinance is important.

David Taylor stated he had no obligations to regulations but all regulations need to be pulled together in one place so citizens can figure out what they need to do. He also expressed concerns about platting requirements in the proposed ordinance and that too much is dependent on the code administrator.

Marty Kimsey, native Maconian, realtor and developer, stated our ancestors believed in the rule of law rather than the rule of man and the proposed ordinance goes back to the rule of man and gives a lot of power to one man. Mr. Kimsey added that if current ordinances were enforced this ordinance would not be needed and, in his opinion, this ordinance was not ready to be passed. He requested the Board to work on current problems before creating new ones.

Jackie West stated he came home from the service thirty-seven years ago and had been able to stay in Macon County because some of the mountains had to be torn up. He added that before anything else is adopted that ordinances on the books need to be enforced.

Being no further comment the public hearing adjourned at 8:10 to reconvene the regular meeting in the Board Room.

Sam K. Greenwood, County Manager
Clerk to the Board

Daniel A. Bryson
Board Chairman

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