

MACON COUNTY BOARD OF COMMISSIONERS
CONTINUATION MEETING
PUBLIC HEARING - SUBDIVISION ORDINANCE
JUNE 2, 2008
MINUTES

Chairman Leatherman reconvened the regular meeting at 5:45 p.m. as recessed. All Board Members, the County Manager, Deputy Clerk, County Attorney, County Finance Director, members of the news media and interested citizens were present.

SOLID WASTE/HIGHLANDS CONVENIENCE CENTER: Solid Waste Director Chris Stahl reported informal bids for paving of the Highlands Road Convenience Center had been requested and two responses received. Based on the bids received Mr. Stahl recommended approval of a contract with Rhodes Brothers Paving, the low bidder, for the base bid of \$20.00/square yard plus \$1,800 in site work. Upon motion by Commissioner Davis, seconded by Commissioner McClellan, the Board unanimously voted to accept the recommendation to award the bid to Rhodes Brothers Paving and authorize the County Manager to execute the necessary documents. Mr. Stahl made the Board aware the site would have to be closed during the paving process and his department would schedule the work in the middle of the week and publicize that the center will be closed as best possible.

HUMAN TRAFFICKING AWARENESS WEEK: At the request of the Zonta Club of Franklin the week of June 9, 2008, was unanimously proclaimed as Human Trafficking Awareness Week in the County of Macon upon motion by Commissioner Beale and seconded by Commissioner Simpson.

PUBLIC HEARING/SUBDIVISION ORDINANCE: Chairman Leatherman opened the public hearing on the proposed Subdivision Ordinance of the County of Macon as noticed and requested speakers to speak to the Ordinance only.

Charlie Cowie expressed appreciation to Chairman Leatherman and staff for their work stating the necessity of the Ordinance was not his decision. Mr. Cowie expressed concerns about the percent of road grade restrictions in the Ordinance and demonstrated various grades stating his road is over 15% grade and would not be allowed under the ordinance. He stated he felt the ordinance would virtually make most land in the County unusable and questioned, if land is valued on use, what will happen to tax values. Mr. Cowie stated this issue needed to be addressed before it is etched in stone and requested the Board to not legislate land out of use.

Jenny Sanders, Executive Director of the Little Tennessee Watershed Association, stated she was present representing the LTWA Board of Directors and approximately 150 members to support passage of the Subdivision Ordinance. Ms. Sanders added by passing the ordinance the Board would be taking some great first steps to positively influence the way that subdivisions are constructed and that the LTWA supported and appreciated the initiative.

Norma Ivey, Community Organizer of the Western North Carolina Alliance, stated she was speaking on behalf of the Alliance and as a resident and property owner of Macon County. Ms Ivey expressed appreciation to the Board for the opportunity to speak in support of the ordinance and stated she felt having an ordinance in place would be advantageous to all parties concerned. She added that the ordinance would provide a road map for developers, builders, inspectors, etc. to follow.

Wally Welch, Goshen Road resident, stated it was his nature not to like having someone tell him what to do with his property, that he had a problem with Duke Energy digging up all utility right of ways in subdivision roads and questioned if utility companies would be held to the same standards of compaction, etc. Mr. Welch stated he owns 52 acres and if he divides or sells

ten acres at the end of the road will he have to change the road to meet the 15 foot standards of the Ordinance. After the hearing was recessed the specifications of the ordinance were explained to Mr. Welch by the County Planner stating the roads within the ten acres being subdivided would need to meet standards but not the road to the access.

Darlene McDowell stated she was a native of Macon County, a mother, a teacher and a real estate agent which provided an incentive for her to speak in support of the proposed ordinance. She added that we fail when we fail to adopt and enforce rules and that people with the most valuable property seek rules. Ms. McDowell stated she felt this is a very modest set of rules but is a step in the right direction to help preserve our county. She asked that the Board plan for the future adding that plans we make, or do not make, will shape our future and requested the Board to please take this step of adoption of this ordinance.

There were no further comments and Chairman Leatherman adjourned the hearing. The County Attorney explained section §158.64 (1) Road Standards was changed by adding the phrase "or as required by The North Carolina Fire Code as applicable".

Necessary personnel to enforce the ordinance, road width requirements and the fire code appendices were discussed after which, upon motion by Commissioner Beale and seconded by Commissioner Simpson, the Board unanimously voted to adopt the final draft of the Subdivision Ordinance as presented by the Macon County Planning Board. (Attachment #1) The Board expressed appreciation to the Planning Board and recognized members present: Mark West, Lamar Sprinkle, Susan Erwin, Larry Stenger, Lewis Penland and Karl Gillespie.

School funding: A letter was presented from architect Mike Watson to School Superintendent Dan Brigman dated May 30, 2008, listing the 5-6 School and East Franklin - Phase 2 costs at \$21,451,400 which was \$1,451,400 over the \$20,000,000 previously approved for the projects. Due to the deadline to get the financing information to LGC the Board instructed the County Manager to set up a conference call with the Superintendent and Architect. In order to handle the conference call the meeting was recessed to the County Manager's Office with proper notice of relocation posted on the door. A lengthy conference call was held and the various funding requests in Mr. Watson's letter were discussed. Commissioner Beale made a motion to rescind his motion made at the May 30th meeting to fund the \$20,000,000 calculation presented by the Board of Education for these projects by borrowing \$18,000,000 and allocating \$2,000,000 from Fund Balance. Commissioner McClellan, who seconded the original motion agreed and the Board unanimously approved rescinding the motion. The meeting was recessed until 11:45 a.m. on June 3rd in the County Manager's Office when the Board of Education was instructed to present reasonable cost expectations for the construction projects.

C. Jack Horton, County Manager
Clerk to the Board

Charles D. Leatherman
Board Chairman