

Macon County Planning Board Minutes

September 16, 2010

Call to Order: Chairman Lewis Penland called the meeting to order at 5:10 pm.

Members: Lewis Penland, Mike Gruberman, Alan Marsh, Jimmy Tate, Larry Stenger, Evelyn Owens, Susan Ervin

Staff: Derek Roland, Jack Morgan, Matt Mason

Media:

Approval of Minutes: Alan Marsh made motion to approve 9/9/2010 minutes, Jimmy Tate seconded this motion

Liaison Reports:

MCWC- Has not met since Planning Board meeting held on 9/9/2010

Transportation Steering Committee- Has not met since Planning Board meeting held on 9/9/2010

Educational Segment- The purpose of this presentation was to give the audience in attendance the history of how the discussion concerning slope development in Macon County began, what has been accomplished until now and where the board plans to head in the future. Roland re-assured the audience that the Macon County Planning Board had not yet began to write an ordinance and was still in the fact gathering stage. He reminded everyone that we must work together and find out what is best for the citizens of Macon County.

Matt Mason provided the audience in attendance with photos of well known, recognizable slopes within Macon County. The percentage slope of each photographed area was attached to each of the photos, in order to give citizens a better understanding of what slopes the proposed ordinance will regulate. Mason then went on to show the board drawings that illustrated the cut slopes and amounts of backfill present for homes placed on 25%, 33% and 40% slopes

New Business:

Board to discuss how to proceed with community discussion regarding safe slope development.

Prior to the meeting the Planning Board became aware that some citizens in Macon County were expressing concern as to how the board was handling the public comment period with regard to the proposed slope development ordinance. Some citizens felt the planning board was being unfair in only permitting citizens to speak once throughout the community meeting process. Citizens also felt the planning board should address questions posed by the public at these meetings.

Jack Morgan distributed handout to board titled "Open Meetings and Local Governments in North Carolina". He then instructed the board to look at question #184 along with the corresponding answer, contained in the handout. Question #184 and answer: Does the open meetings law give citizens a right to address the public body that is holding the meeting? No. The law gives persons a right to attend and listen to the proceedings of a public body. It gives no right to address the public body or participate in its deliberations. Three public bodies, however-boards of county commissioners, city councils and local boards of education- are subject to separate statutes that require such boards to provide a period for "public comment" at at least one meeting a month. Other public bodies are certainly permitted to allow public comment, but they are not required to do so. Thus, the planning board, by North Carolina General Statute is not required to allow citizens the opportunity to address the board.

Chairman Penland asked all members in attendance to state how they felt the board should proceed with the public input process. A motion was made by Larry Stenger that the planning board begin answering questions posed by citizens in attendance at planning board meetings, and citizens who have something new to bring to the discussion be permitted to speak more than once with members from the hosting community given priority to speak first. Mike Gruberman seconded this motion, the motion carried unanimously.

Unfinished Business:

Report on Progress made by Slope Development Workgroup.

Susan Ervin reported that the workgroup was now discussing height of slopes and benching requirements. The discussion was very technically based, involving lengthy discussion from grading contractors and homebuilders serving on the committee.

Discussion on how to best proceed with review of the Comprehensive Plan.

The board will begin meeting bi-monthly to review the Comprehensive Plan. One meeting will be specifically designated for review of this document and will more than

likely be held at the environmental resource center (Roland is checking on this location). The regularly scheduled 3rd Thursday meeting, will continue being held in community centers throughout the county. Chairman Penland requested that an email be sent to all board members suggesting a date and location to hold the review meetings.

Discussion on inviting students/young people to serve as non-voting members on the planning board.

Larry Stenger made motion to accept Brian Bell and Canyon Woodard for a one year appointment to the Macon County Planning Board as non-voting members. Jimmy Tate seconded this motion, all members were in favor.

Public Session:

David Roberts (Nantahala Resident) – Was concerned that costs associated with slope development regulations would contribute to driving natives out of Macon County who have lived here for years. Roberts feels that sedimentation and erosion control regulations would take care of many problems occurring on slopes.

Burma Keller (Macon County Resident)- Would increasing controls on grading contractors make Steep Slope regulations obsolete?

Chairman Penland questioned whether or not this would be enough to satisfy our state legislature if and when they decided to pass slope regulations.

Vic Drummond and Ronnie Haven suggested that the planning board take new avenues to publicize the planning board meetings. Drummond suggested that a schedule of community meetings also be posted on the website.

Next Meeting Date: October 21, 2010 @ Highlands Community Center

Meeting Adjourned: Motion to adjourn meeting was made by Alan Marsh, Jimmy Tate seconded this motion. Meeting was adjourned at 6:50 pm.