

**MACON COUNTY BOARD OF COMMISSIONERS
FEBRUARY 10, 2015
MINUTES**

Chairman Corbin called the meeting to order at 6:02 p.m. and welcomed those in attendance. All Board Members, the County Manager, Deputy Clerk, Finance Director, County Attorney, members of the news media and interested citizens were present.

ANNOUNCEMENTS: Those in attendance watched a video from the North Carolina Association of County Commissioners (NCACC) that provided an update on recent NCACC activities, particularly the legislative goals process.

MOMENT OF SILENCE: Chairman Corbin asked those in attendance to observe a moment of silence.

PLEDGE TO THE FLAG: Led by Commissioner Higdon, the pledge to the flag was recited.

PUBLIC HEARING ON ALTERNATIVE SITE ANALYSIS FOR THE MACON COUNTY LANDFILL: Chairman Corbin opened the public hearing at 6:10 p.m. as noticed. Solid Waste Director Chris Stahl introduced Mark Cathey with the engineering firm McGill Associates, who presented a PowerPoint presentation regarding the alternative site analysis for the Macon County Landfill. Mr. Cathey introduced the three other members of the McGill staff that worked on the project, and started by explaining that the existing Phase 2 landfill cell is expected to reach capacity in December of 2016. The county is considering expanding the existing permitted landfill by acquiring two adjacent parcels of land, on which due diligence is currently being performed. However, the proposed expansion requires a new landfill permit, and prior to proceeding with that expansion, the county is required to conduct an alternative site analysis in accordance with state statute 153-156(c). Mr. Cathey provided photos of the permitted landfill area as well as the proposed expanded area, and then explained how the firm went about the identification of alternative sites and the criteria involved, which included the following: (1) identified parcels that were

larger than 20 acres and could be combined with adjacent parcels to meet a minimum 100-acre criteria, (2) eliminated all parcels located inside buffers of game lands, national wildlife refuge and state parks, (3) eliminated parcels involving airport buffer and water supply watersheds, (4) eliminated all parcels less than 100 acres not sharing a boundary with additional parcels that could be combined to be greater than 100 acres and (5) eliminated all parcels that contained a mean slope greater than 20 percent. That resulted in a total of 20 sites, three of which were greater than 100 acres. McGill then applied certain criteria to the identified sites to determine the “candidate” sites, including impact of flood plains, parcel geometry, property buffers, game land buffers, developable area, proximity to existing public water and sewer utilities and transportation corridors and bridges. That resulted in four possible candidate sites, and Mr. Cathey reviewed the pros and cons of each. McGill’s recommendation was to go with the site identified as “A/16/17,” which is the current landfill and two adjacent properties. Per McGill’s analysis, this site has minimal socioeconomic and demographic impact compared to other sites, no known regulatory permitting issues, the solid waste operational infrastructure is already in place, no off-site improvements are necessary and it has the least expensive development cost. Mr. Stahl noted that this was his recommendation as well. There were no questions from the board members, other than a brief discussion regarding the impact of adding the two additional properties on the overall life of the landfill. Chairman Corbin explained that no one signed up to speak at the hearing, and opened the floor to anyone who wished to comment. No one did. Mr. Stahl said that he had received three letters of “concern” from property owners who live across the river from the landfill, adding that he would respond to those letters individually and would make copies of them available to the board members and would make them a part of the “record” that will be sent to the state. Following further comments and discussion, Chairman Corbin said the board would take all of this information under advisement and would consider any necessary action at the board’s March 10, 2015 regular meeting. Mr. Stahl noted that he would continue to accept comments on the analysis from the public. Chairman Corbin offered one final opportunity for comments from the public, and there was one question related to the county’s due diligence efforts regarding the two adjoining properties. Chairman Corbin then closed the public hearing at 6:46 p.m. No action was taken.

PUBLIC COMMENT: **Donna Majerus**, a resident of Clarks Chapel, thanked the board members for asking the planning board to work on a proposed noise ordinance. She went on to describe what she called a “nightmare” involving a neighbor who plays loud music between 2 a.m. and 5 a.m. and is a “habitual noise person.” She told the board that “something has to be done to help” because her house “rocks and shakes” due to the volume of the music. Chairman Corbin responded that a draft of the ordinance is “in the works.”

James Wright, who lives at 384 Hatfield Road in the Ellijay community, described events that he says prompted 100 or more calls to the sheriff's department dating back to 2012. He explained that he has been plagued by trespasses upon his property that would occur between midnight and 3 a.m., as well as gunshots that would leave bullet holes in his house and workshop and resulted in a window being blown out. However, he went on to explain that the sheriff's office had made an arrest in connection with these incidents, and that he had also gone to great expense to take this matter to civil court. "I hope the terror is going to be over with," he told the board, adding that he would not take up the board's time with regard to noise-related incidents that had taken place as well.

ADJUSTMENTS TO AND APPROVAL OF THE AGENDA: Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to approve the agenda as adjusted, as follows:

- To add a report on the meeting of the Joint Facilities Review Committee as Item 8D under Reports/Presentations, per Commissioner Beale.
- To add a report regarding Macon Program for Progress (MPP) as Item 8E under Reports/Presentations, per Commissioner Beale.
- To add a report regarding the North Carolina Association of County Commissioners (NCACC) federal goals as Item 8F, per Chairman Corbin.
- To remove Item 8A (Recognition of Turner DeHart) from the agenda, per the Deputy Clerk.
- To change the language of Item 9B under Old Business from "Discussion of Borcon contract regarding Parker Meadows Recreational Complex" to "Change Order to Penland Contract," per the County Manager.
- To add an "Agreement to Use Water Supply" between the county and West Macon Fire Department as Item 10A under New Business, per the County Manager.

FISCAL YEAR 2013-14 AUDIT REPORT: Ko Tang Cha-Moses with Martin-Starnes & Associates presented a PowerPoint presentation regarding the annual financial report for the fiscal year that ended June 30, 2014. Among the audit highlights, Ms. Cha-Moses noted that the firm gave the county an "unmodified opinion," that there were no findings or questioned costs, and that no material internal control weaknesses were identified. She reviewed such items as the county's available fund balance, which stands at 34.67 percent as a percent of expenditures and transfers out, as well as the top three revenues of the general fund, which include ad valorem taxes, restricted intergovernmental funds and local option sales taxes. She also touched on the top three expenditures, which continue to be public safety, human services and education. Copies of the Comprehensive Annual Financial Report (CAFR) and

the compliance letters were presented to the board members. Both documents will be kept on file in the Deputy Clerk's office. No action was taken.

PROCLAMATION FOR AMERICAN HEART HEALTH MONTH: Chairman Corbin read portions of the proclamation entitled "February is American Heart Health Month," pointing out one item in particular that states, "Whereas locally there have been 478 deaths in the past four years due to heart disease." Upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted unanimously to proclaim the month of February as American Heart Health Month in Macon County. A copy of the proclamation is attached (Attachment 1) and is hereby made a part of these minutes.

JOINT FACILITIES REVIEW COMMITTEE REPORT: Commissioner Beale explained that he and Commissioner Shields and others from the county had met with representatives of the Macon County Board of Education and school system staff on February 6th. From that meeting, he said both sides agreed to ask the County Manager to look at including \$300,000 in capital outlay funds for the school system in the Fiscal Year 2015-16 budget, up from the current budget amount of \$199,000. Per Commissioner Beale, the committee also discussed the possibility of obtaining Qualified Zone Academy Bond (QZAB) funding for needed renovations at both Union Academy and the high school wing of Highlands School at a projected total cost of \$2,725,550.

MACON PROGRAM FOR PROGRESS REPORT: Commissioner Beale said that a copy of a report regarding the status of Macon Program for Progress (MPP) is available from either the County Manager or from MPP Executive Director Chuck Sutton. Commissioner Beale also announced that the entire North Carolina Association of County Commissioners (NCACC) Board would be visiting Macon County on April 23rd and 24th.

REPORT ON NCACC FEDERAL GOALS: Chairman Corbin gave a brief report regarding the Association's goals at the federal level, which he summed up by stating the overall theme of "leave us alone and let us take care of it locally and don't cut our funding and tell us what to do."

RENOVATIONS TO THE DISTRICT ATTORNEY'S OFFICE: The County Manager informed the board that after meeting with those involved in the court system, plans have been made to move the grand jury room from the fourth floor of the courthouse to the third, and to turn the existing grand jury room into two offices. He explained that this will allow the district attorney to have a main office here, staffed with three prosecutors instead of two. Other than county maintenance staff labor, the only cost will be in building a new wall, estimated at \$706.67. No action was required.

CHANGE ORDER TO PENLAND CONTRACT: The County Manager explained that instead of the county contracting with Borcon for work at the Parker Meadows Recreational Complex, the necessary item could be handled through a change order to the existing agreement with Penland Contracting. Essentially, a change order in the amount of \$10,000 will cover approximately 800 linear feet of directional drilling for a pressurized sewer line at the site, as opposed to the initial \$29,000 originally budgeted for the work. Upon a motion by Commissioner Shields, seconded by Commissioner Beale, the board voted unanimously to approve the change order as presented and authorized the County Manager to execute it.

CHANGE IN MAY MEETING DATE: Chairman Corbin informed the board that he would be out of town and unable to attend the board's regular meeting in May, set for May 12th. As this is the scheduled date for presentation of the proposed Fiscal Year 2015-16 budget, the board debated alternatives to the May 12th date, and agreed to consider recessing the meeting on the 12th to May 14th for that purpose. A final decision will be made at a later date.

AGREEMENT TO USE WATER SUPPLY: Following an explanation from the County Manager, and upon a motion by Commissioner Tate, seconded by Commissioner Beale, the board voted unanimously to approve an "agreement to use water supply" between the county and West Macon Fire Department, which will allow the department to withdraw water from a pond located at 4310 Patton Road.

CONSENT AGENDA: Upon a motion by Commissioner Tate, seconded by Commissioner Shields, the following items on the consent agenda were approved unanimously: **Minutes** – Approved the minutes from the January 13, 2015 regular meeting and the January 20, 2015 continued session. **Budget amendments** – Approved the following budget amendments: **#116** for the appropriation of fund balance amounts of state and federal forfeiture funds into the current year budget; **#117** for Macon County Public Health to appropriate \$1,000 in grant funds received for the WNC Healthy Kids Mini Grant; **#118** for Macon County Public Health to roll unexpended grant money from "Project Lazarus" from the previous fiscal year to the current fiscal year; **#119** for Macon County Public Health to allocate \$1,304 in additional WIC money. (Revisions with corresponding numbers attached) **Macon County Public Health Fee Schedule Changes** – Approved two changes to the Macon County Public Health Fee Schedule per the attached document. **Monthly ad valorem tax collection report** – No action necessary. **Report on 2014 unpaid taxes:** Received a report from Tax Collector Margaret Perry stating that "Pursuant to North Carolina General Statute 105-369 (a), the total amount of unpaid 2014 taxes that are liens on real property is \$1,858,227.04."

APPOINTMENTS: (1) **Planning Board:** Upon a motion by Commissioner Shields, seconded by Commissioner Tate, the board voted unanimously to reappoint Chris Haners to the Macon County Planning Board for a three-year term. (2) **Library Board:** Upon a motion by Commissioner Beale, seconded by Commissioner Tate, the board voted unanimously to appoint Susan Lumpkin to the Macon County Public Library Board for a three-year term. (3) **Board of Equalization and Review:** Upon a motion by Commissioner Beale, seconded by Commissioner Shields, the board voted unanimously to appoint Dwight Vinson, Bill Martin, Kevin Spivey, Gary Drake and Kristine Flaig to the Board of Equalization and Review, each for a term of one year. Commissioner Beale also asked that a letter of appreciation be sent to Rich Bankston, who had served on the board but was unable to be reappointed due to health issues.

RECESS: At 7:50 p.m., upon a motion by Commissioner Shields, seconded by Commissioner Tate, the board voted unanimously to recess the meeting until Tuesday, February 17, 2015 at 6 p.m. at the Macon Bank Corporate Center, 14 One Center Court, Franklin, NC for the purpose of holding a joint meeting with the Macon County Planning Board. **NOTE:** The continued session was later cancelled due to inclement weather conditions.

Derek Roland
Ex Officio Clerk to the Board

Kevin Corbin
Board Chairman