

MACON COUNTY BOARD OF COMMISSIONERS
OCTOBER 11, 2011
MINUTES

Chairman McClellan convened the meeting at 6:03 p.m. All Board Members, the County Manager, Deputy Clerk, Finance Director, County Attorney, members of the news media and interested citizens were present.

ANNOUNCEMENTS: Chairman McClellan recognized Commissioner Koppers, who presented the Certificate of Achievement for Excellence in Financial Reporting to Finance Director Evelyn Southard and the Finance Department staff. This award is presented by the Government Finance Officers Association in recognition of the county's comprehensive annual financial report. This marks the 17th time that Macon County has received this honor.

INVOCATION: Commissioner Corbin gave the invocation.

PLEDGE TO THE FLAG: The pledge to the flag was recited.

PUBLIC HEARING: NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) SECONDARY ROADS CONSTRUCTION PROGRAM: Chairman McClellan opened the public hearing at 6:10 p.m. and recognized Division Engineer Joel Setzer, who introduced members of the NCDOT staff who were with him. Mr. Setzer explained that the allocation for the Secondary Roads Program for Macon County for Fiscal Year 2012 was \$851,060, and that at the completion of the hearing, the board would be asked to approve a resolution regarding the program and amount. District Engineer Wesley Grindstaff went over the projects that were planned for 2012 (Attachment 1). Commissioner Beale thanked Mr. Setzer and Mr. Grindstaff for NCDOT's assistance regarding Buck Creek Road, and Commissioner Beale also had questions regarding a proposed signal light at Mountain View Intermediate School and funding for snow and ice removal. Commissioner Koppers also questioned when a decision would be made regarding McCoy Bridge. Chairman McClellan then opened the floor for public comment: **Phil Hackett** spoke on behalf of the Hannah Mountain Road Association, and asked about the process necessary to have a private road taken over by NCDOT, and he was asked to meet with Mr. Grindstaff. **Narelle Kirkland** expressed support for a possible scenic overlook off NC 28 North. **Adele Hopkins** said that she had acquired all of the necessary signatures for work to be performed on Westside Duck Mountain Road in the Scaly Mountain community.. **Keith Coward** said he wanted to check on the status of Sprinkle Road off of Arthur Drake Road, which prompted a lengthy discussion regarding

ongoing efforts to make improvements to Arthur Drake Road. **Dennis Murphy** had questions about how to get funding to improve Sam Vanhook Lane, a private road in the Clarks Chapel area, and he was referred to Mr. Grindstaff. With no other speakers, Chairman McClellan closed the public hearing at 6:51 p.m.

SECONDARY ROADS PROGRAM RESOLUTION: Upon a motion by Commissioner Beale, seconded by Commissioner Corbin, the board voted unanimously to approve the resolution for the Secondary Roads Program for Macon County for Fiscal Year 2012 as presented (Attachment 2).

PUBLIC COMMENT: **David Dennis** voiced concerns about a proposed truck turnaround at Deal Farms Circle off of the Highlands Road, and Mr. Setzer suggested that Mr. Dennis e-mail his comments to the NCDOT engineer assigned to this project. **Vic Drummond** said the board should initiate the property revaluation now, stating that 49 of the state's 100 counties had done a revaluation in the last three years, and urged the board not to postpone it. **Scott Thompson** also suggested that the board proceed with the revaluation now instead of waiting. With no other speakers, Chairman McClellan closed the public comment period at 7:12.

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

- To add a presentation by Everett Stiles on the North Carolina Foreclosure Prevention Fund as the new Item 8A, with the other items under Reports/Presentations to be adjusted accordingly.
- To add a brief presentation by Commission Kuppers regarding Nantahala Lake as Item 8E.
- To add an additional item, land acquisition, under Closed Session as Item 13C.
- To add two additional budget revisions at the Finance Director's request under the Consent Agenda in Item 11B.

NORTH CAROLINA FORECLOSURE PREVENTION FUND: Everett Stiles made a brief presentation about the Foreclosure Prevention Fund, noting that the state currently has a half billion dollars available to help homeowners. Commission Corbin suggested that the media do a story on the fund.

PROPOSED DOG PARK ALONG GREENWAY: Steve Philo, a member of the Friends of the Greenway (FROGS) board, asked the board for permission to build a dog park along the Little Tennessee River Greenway

adjacent to Wesley's Playground. Mr. Philo explained that the park would consist of nothing but a four-foot-high fence in this area, would be maintained by FROGS, and would cost approximately \$6,000 plus labor, with the funds to be raised from dog owners. Upon a motion by Commissioner Beale, and pending a check of conservation easements by the County Attorney, seconded by Commissioner Corbin, the board voted unanimously to grant permission to FROGS to use the property as described for the dog park.

PROCLAMATION FOR BREAST CANCER AWARENESS MONTH:

Bonnie Peggs, the director of marketing and public relations for Angel Medical Center, spoke of an ongoing relationship with the county health department in an effort to provide early detection for breast cancer, and advocated yearly mammograms as part of that effort. Chairman McClellan read the proclamation for the record (Attachment 3), and upon a motion by Commissioner Kupperts, seconded by Commissioner Corbin, the board voted unanimously to proclaim October 2011 as Breast Cancer Awareness Month.

MENTAL ILLNESS AWARENESS WEEK – Debbie Roberts, president of the Appalachian South chapter of the National Alliance on Mental Illness (NAMI), updated the board on the organization's efforts to remove the stigma associated with mental illness, explaining how NAMI was personally life-changing for her. Noting that Mental Illness Awareness Week had just recently taken place, Chairman McClellan said the board would be happy to approve a proclamation in honor of the week next year.

NANTAHALA LAKE SWIMMING ACCESS: Commissioner Kupperts told the board that after meeting with Duke Energy and state Wildlife Resources Commission officials, it does not look promising in terms of having a designated swimming area at the Rocky Branch boat ramp area on Nantahala Lake, adding that he would keep the board informed on this matter.

MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE –

Chairman McClellan opted to move to Item 10A on the agenda and recognized David Key, the county's Acting Emergency Services Director, who provided the board with an update on the latest version of the Multi-Jurisdictional Hazard Mitigation Plan, which has been approved by the Federal Emergency Management Agency as well as the towns of Franklin and Highlands. Mr. Key noted that the final step was adoption of a resolution by the board approving the updating plan, which contains new census data. Upon a motion by Commissioner Corbin, seconded by Commissioner Haven, the board voted unanimously to approve the plan

update. (A copy of the updated plan is on file in the Deputy Clerk's office.)

APPOINTMENT OF FIREMEN'S RELIEF FUND BOARD MEMBERS –

David Key explained that he had asked each volunteer fire department chief to select two representatives as their recommended appointees from the Board of Commissioners to serve on the Firemen's Relief Fund Board, and he presented those recommendations, noting that each person must reside within the boundaries of their respective fire district. Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to appoint the members to the board as submitted (Attachment 4).

Chairman McClellan declared a recess at 7:51 p.m.

Chairman McClellan called the meeting back to order at 8:08 p.m.

CONSTRUCTION STANDARDS: Commissioner Koppers suggested that the board hold a work session on the proposed construction standards and to have experts on the subject available at that meeting to provide information and to answer questions. Commissioner Koppers also asked about whether the proposed standards would be incorporated into an existing ordinance, perhaps either the subdivision ordinance or the soil erosion and sedimentation control ordinance. The board agreed to hold a recessed meeting on Tuesday, October 25th at 6 p.m., primarily for the purpose of discussing the construction standards. No action was taken.

REVALUATION SCHEDULE: Following significant discussion among the board members and Tax Administrator Richard Lightner, and upon a motion by Commissioner Haven, seconded by Commissioner Koppers, the board voted unanimously to adopt a resolution prepared by the County Attorney "Regarding the Time for General Appraisal of Real Property" that designates the date of the next general reappraisal of real property in Macon County to be January 1, 2015 and to designate an eight-year reappraisal cycle thereafter (Attachment 5).

PURCHASE OF PROPERTY BY SMOKY MOUNTAIN CENTER – Upon a motion by Commissioner Beale, seconded by Commissioner Corbin, the board voted unanimously to adopt a resolution approving the purchase of property in Haywood County by the Smoky Mountain Center for Mental Health, Developmental Disabilities and Substance Abuse services. Under state statute, each of the 15 counties within the region served by the center must pass a resolution approving the purchase.

PROPOSAL FROM MARTIN-STARNES: The Finance Director presented a proposal for audit services from Martin-Starnes & Associates. The proposal covers a three-year extension of the current agreement for audit services for the county, with a three percent increase on an annual basis, calling for fees of \$56,200 in 2011, \$57,900 in 2012 and \$59,600 in 2013. Upon a motion by Commissioner Corbin, seconded by Commissioner Haven, the board voted unanimously to accept the proposal as presented.

NORTH CAROLINA HIGHWAY PATROL TELECOMMUNICATIONS FACILITY: Following an update from the County Manager on the status of the proposed telecommunications facility (VIPER tower) planned for the water tank site near South Macon School, and upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to authorize the County Manager and the County Attorney to negotiate a formal lease agreement with the North Carolina Highway Patrol regarding the site. Per the County Manager, one of the remaining concerns was the exact location of the 300-foot tower on the property due to the “fall zone” for the structure.

CONSENT AGENDA: Upon a motion by Commissioner Corbin, seconded by Commissioner Kupperts, the following items on the consent agenda were unanimously approved: **Minutes** – Approved the minutes from the September 9th, September 13th and September 22nd meetings. **Budget revisions** – Approved the following budget revisions: revision #55 for the Department of Social Services to appropriate an additional SHIPP allocation of \$1,533; revision #56 for the Department of Social Services to allocate an increase in ADC block grant funds of \$2,469 for adult day care meals; revision #57 for the Department of Social Services to allocate a donation from MANNA Food Bank of \$898. (Revisions with corresponding numbers attached. At this time, each of the commissioners expressed their appreciation to outgoing Finance Director Evelyn Southard, as this would be her last regular board meeting. **Tax releases** – Approved tax releases in the amount of \$705.65. (A computer printout of releases is on file in the Tax Department and the County Manager’s office.) **Revised fee for laboratory test at Macon County Public Health** – Approved a change in a fee for a test for Vitamin B 7 (Biotin) at a cost of \$227.

APPOINTMENTS: Highlands Tourism Development Commission – Following recommendations from Bob Kieltyka, Executive Director of the Highlands Area Chamber of Commerce, and upon a motion by Commissioner Beale, seconded by Commissioner Kupperts, the board voted unanimously to appoint Tucker Chambers as the Large Accommodation representative on the commission and to appoint Chris

Alley as the Small Accommodation representative on the commission. Terms of appointment are for three-years and will expire on October 11, 2014. **Discussion regarding term limits for appointed advisory boards** – Chairman McClellan initiated the discussion by noting that a previous board did away with these term limits. That was followed by discussion of which boards to designate with limits, and whether those limits were permissible by either state statute or county ordinance. The County Manager said this is a policy decision the board will need to make. Commission Koppers requested that the field of committees be narrowed down. Commissioner Haven said his recommendation was to limit service to two terms of three years each, and Chairman McClellan asked that he hold that motion until the list could be modified. Following further discussion, including debate over whether the planning board was the focus of this matter, it was suggested that each board member e-mail a list of their top five committees to consider for limits to the County Manager, with the County Attorney to check the appropriate statutes and ordinances to see what applicability they might have. Additional information is anticipated to be provided at the November regular meeting.

CLOSED SESSION: At 9:38 p.m., and upon a motion by Commissioner Beale, seconded by Commissioner Koppers, the board voted unanimously to go into closed session to (1) preserve the attorney/client privilege under G.S. 143-318.11(3) and (2) to discuss personnel matters under G.S. 143-318.11(6) and (3) land acquisition under G.S. 143-318.11(5). Upon a motion by Commissioner Koppers, seconded by Commissioner Beale, the board voted unanimously to come out of closed session at 11:03 p.m. No action was taken.

RECESS: Upon a motion by Commissioner Koppers, seconded by Commissioner Corbin, the board voted unanimously at 11:04 p.m. to recess the meeting until Tuesday, October 25, 2011 at 6 p.m. in the commission boardroom on the third floor of the Macon County Courthouse at 5 West Main Street in Franklin.

Jack Horton, County Manager
Clerk to the Board

Brian McClellan
Board Chairman