

**MACON COUNTY BOARD OF COMMISSIONERS
DECEMBER 13, 2011
MINUTES**

Vice-Chairman Kupperts convened the meeting at 6:00 p.m. All Board Members, the County Manager, Deputy Clerk, Finance Director, County Attorney, members of the news media and interested citizens were present.

INVOCATION: Commissioner Corbin gave the invocation.

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

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

- To remove Item 16E (Holly Springs Community Club Agreement) from the Consent Agenda, per Commissioner Kupperts and the County Manager.
- To postpone Item 14A (Exchange of real estate with Donald and Betty Fisher) and Item 14B (Board appointments/term limits), per Commissioner Beale.
- To add a resolution regarding "Examination of Official Bond for Public Officials of Macon County" as Item 10A, per the County Manager.
- Commissioner Haven requested time to make a statement during this discussion, and voiced his opinion on the need for term limits for members of the planning board. However, due to the addition of a new member to the board and the election of a new chairman, Commissioner Haven agreed to have the item placed on the January 2012 regular meeting agenda.

RECOMMENDATION OF THE MACON COUNTY REPUBLICAN PARTY EXECUTIVE COMMITTEE: Vice-Chairman Kupperts read into the record a letter from Chris Murray, the chairman of the Macon County Republican Party, regarding the recommendation of the party's executive committee that Jim Tate fill the vacancy on the board as the District I representative (Attachment 1). Vice-Chairman Kupperts then read a brief biography of Mr. Tate.

APPOINTMENT OF NEW DISTRICT I REPRESENTATIVE: Upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to accept the recommendation of the Macon

County Republican Party Executive Committee and appointed Jim Tate to serve as the District I representative until the first Monday of December 2012.

SWEARING IN OF NEW DISTRICT I REPRESENTATIVE: Macon County Clerk of Superior Court Vic Perry administered the oath of office to James Phil Tate, who then took his seat on the board.

ANNOUNCEMENTS: Commissioner Beale explained that he would be leaving the meeting as soon as possible, as he had to be in a meeting involving a number of different agencies in Raleigh early the next morning. Among the topics to be discussed was the future of the secondary roads program.

ELECTION OF CHAIRMAN: In accordance with the board's rules of procedure, Vice-Chairman Koppers turned the meeting over to the County Manager, who conducted the election for the chairman of the board and opened the floor for nominations. Commissioner Haven nominated Commissioner Corbin as chair, and the motion was seconded by Commissioner Beale. There were no other nominations, and the motion was approved unanimously. Chairman Corbin expressed his appreciation to the other board members for their support.

ELECTION OF VICE-CHAIRMAN: Chairman Corbin opened the floor for nominations for vice-chairman of the board. Commissioner Beale nominated Commissioner Koppers as vice-chairman, and the motion was seconded by Commissioner Haven. There were no other nominations, and the motion was approved unanimously. Both Commissioner Beale and Chairman Corbin offered thanks to Vice-Chairman Koppers for his work during the recent transition period.

RESOLUTION REGARDING OFFICIAL BONDS FOR PUBLIC OFFICIALS: The County Manager read into the record a resolution, entitled "Examination of Official Bond for Public Officials of Macon County," which specifically covers the county's finance officer, tax administrator, register of deeds and sheriff (Attachment 2). Upon a motion by Commissioner Koppers, seconded by Commissioner Beale, the board voted unanimously to approve the resolution as read.

PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE TELECOMMUNICATIONS TOWER ORDINANCE: Chairman Corbin called the public hearing to order at 6:15 p.m. and noted that no one had signed up to speak in regard to this matter. He then recognized the County Attorney, who explained the need for the proposed amendment

and then read the amendment into the record (Attachment 3). Chairman Corbin closed the public hearing at 6:20 p.m. The County Manager explained that if the board was prepared to act on the amendment, that he would also request authorization to finalize the necessary legal documents for the proposed North Carolina Highway Patrol telecommunications tower to be erected on county-owned property off Addington Bridge Road. Upon the recommendation of the County Attorney and a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to adopt the amendment to Chapter 154, Section 154.04 of the Telecommunications Tower Ordinance, and to authorize the execution of the Ground Lease Agreement (Attachment 4), the Memorandum of Lease (Attachment 5) and the Sublease Agreement (Attachment 6) as presented.

PUBLIC COMMENT: **Bill McLarney** voiced his endorsement of the watershed plan that would be presented to the board later in the meeting. **Michelle Masta** addressed a number of concerns regarding the Wildflower development. Ms. Masta posed questions regarding the outcome or results of an “investigation” into the activities of some planning board members related to the development, stating that one planning board member interfered in a contract situation, and that the planning board was making it impossible for her to do business in the county. She also requested that the board remove any references to the landslide hazard maps. Commissioner Koppers responded to Ms. Masta’s comments relative to the “investigation,” stating that there was nothing to turn over. **Paul Carlson**, director of the Land Trust for the Little Tennessee, also endorsed the watershed plan.

COMPREHENSIVE FINANCIAL ANNUAL REPORT: Erica Brown with Martin Starnes & Associates presented the annual financial report for the fiscal year ended June 30, 2011. Ms. Brown reported that the firm was presenting an unqualified opinion, with no findings or questioned costs and no material internal control weaknesses identified. She explained that revenues increased about 2 percent over the prior year, while expenditures were down 1 percent. She also pointed out an increase in available fund balance of more than \$2.4 million, noting that the county had about five months (41.78 percent) worth of operating revenue in reserve. Ad valorem taxes made up 62 percent of the county’s revenue, while the top three expenditures were for public safety (28 percent), human services (23 percent) and education (22 percent). Ms. Brown said the tax collection rate was 96.75 percent, down slightly from previous years, and that sales tax revenue was down in the county as it was across the state. Commissioner Beale and Chairman Corbin expressed their appreciation to the finance department staff for their

work, with Commissioner Beale noting that the county's fund balance never drops below 25 percent, a point that is recognized annually. The County Manager pointed out that in the midst of difficult economic conditions, the county's fund balance grew and the bond rating increased from A to A+, and he thanked Ms. Brown for her presentation. No action was taken.

REVISED 2012-2014 WORK FIRST ELECTING PLAN: Department of Social Services Director Jane Kimsey explained that the plan was coming back before the board due to revisions and clarifications required by the state, with a list of those minor revisions contained in the board's agenda packet (Attachment 7). Upon a motion by Commissioner Beale, seconded by Commissioner Kupperts, the board voted unanimously to adopt the changes to the plan as presented.

FRANKLIN TO FONTANA WATERSHED PLAN: Andrea Leslie, the Western Watershed Planner for the North Carolina Department of Environment and Natural Resources (NCDENR), presented a PowerPoint presentation summarizing the Franklin to Fontana Watershed Plan. Ms. Leslie pointed out that the 150-square-mile area drained by the Little Tennessee River has an "amazingly rich diversity," and is host to some rare, threatened and endangered species. She discussed the Local Advisory Committee that developed the plan, and noted that the executive summary of the plan provided to the board (Attachment 8) contains 36 recommendations, broken down into four categories. According to Ms. Leslie, the primary stressors to streams in the watershed are a lack of woody streamside vegetation, excessive sediment and stormwater runoff. She pointed out that some of the recommendations were regulatory in nature. Following the presentation and a question and answer period, the board took no action.

CONSENT AGENDA: Upon a motion by Commissioner Kupperts, seconded by Commissioner Beale, the following items on the consent agenda were unanimously approved: **Minutes** – Approved the minutes from the November 3rd, November 8th and December 1st meetings. **Tax releases** – Approved tax releases in the amount of \$467.99. (A computer printout of releases is on file in the Tax Department and the County Manager's office.) **Tax refund** – Approved a tax refund in the amount of \$99.31 to Thomas Jessup due to a land transfer clerical error on the amount of acreage for 2007-2010 taxes.

APPOINTMENTS: The County Manager presented a proposal outlining a process for the board to consider when making appointments to authorities, boards, commissions and committees (Attachment 9). This

process would involve an application as well as a potential interview, particularly for certain boards, commissions and committees as outlined in Attachment 1 to the County Manager's proposal. The application to serve **Attachment 10** would be made available on the county's website. Following discussion, and upon a motion by Commissioner Haven, seconded by Commissioner Koppers, the board voted unanimously to approve the application process as recommended by the County Manager, effective January 1, 2012. This was followed by a brief discussion regarding the vacancy on the county planning board created by Commissioner Tate taking office.

BOARD RETREAT: Chairman Corbin suggested that the board consider holding its mid-year "retreat" at some point following the January regular meeting, although no specific date was set.

MACON PROGRAM FOR PROGRESS: Commissioner Beale gave each board member information on a grant application involving Macon Program for Progress. No action was necessary.

DENTIST CONTRACT: Upon the recommendation of the County Attorney, and upon a motion by Commissioner Beale, seconded by Commissioner Haven, the board voted unanimously to approve the most recent draft from the County Attorney of a contract involving adult dental services for the Macon County Public Health Center.

ADJOURN: With no further business, and upon a motion by Commissioner Beale, seconded by Commissioner Koppers, the board voted unanimously to adjourn at 7:45 p.m.

Jack Horton, County Manager
Clerk to the Board

Kevin Corbin
Board Chairman