

MACON COUNTY BOARD OF COMMISSIONERS  
JUNE 9, 2003  
MINUTES

Chairman West called the meeting to order at 6 p.m. All Board Members, the County Manager, County Attorney, Deputy Clerk, County Finance Officer, members of the news media and interested citizens were present. Rev. Steve Reeves from Iotla Baptist Church gave the invocation.

MINUTES: Upon a motion by Commissioner Bryson and seconded by Commissioner Leatherman the minutes of the May 5th, 12th, 22nd and 27th minutes were unanimously approved as submitted.

PUBLIC SESSION:

Ralph Hann stated the Nature Conservancy is involved in the purchase of the Needmore property located in Macon and Swain Counties and questioned if the Board was aware that the Conservancy buys and sells property for profit. Mr. Hann also questioned what effect removing the property from the tax base would have, distributed several handouts and suggested holding off on the Needmore "thing" because it may be a rip-off.

Mike Carter expressed concerns about the noise level from Rhodes Brothers Asphalt Plant, stated when the rights of some are abused by irresponsible acts of others it is the duty of government to restrict these activities in order to provide equal justice and requested the Board to adopt a noise ordinance without "grandfathering" Rhodes Brothers' operation.

Marie Galusha detailed problems with a dangerous dog in their neighborhood that has been going on for three years, stated they had spoken with the owner as had the county's Animal Control Officer, presented Jackson County's ordinance that deals with dangerous or vicious dogs and requested the Board to adopt a similar ordinance. Ms. Galusha added that the County is growing and such situations will only get worse.

Robert Simmon, a neighbor of Ms. Galusha, expressed similar concerns and stated something needs to be done before the dog harms a small child or elderly person who are unable to protect themselves.

Narelle Kirkland reminded the Board of the fatal accident on U.S. 64 and reiterated her request for improvement at the intersection of Wayah and Phillips Street and reducing the speed limit on Highway 28 North.

Jimmy Goodman stated he had compared other county budgets to ours and suggested the County set a statewide example and stop applying for grants.

Ralph Custar stated he owned property on South Tryphosa Road which has not been paved due to right-of-way problems but he felt due to safety hazards and the cost of upkeep, the road should be paved.

SOLID WASTE RATES: A request from Bonita Hamstra, President of J&B Disposal, Inc. was present to discuss her letter of June 2, 2003, requesting a rate increase. The request was briefly discussed then tabled until the July meeting. Commissioners Bryson and Leatherman, members of the Solid Waste Advisory Committee, will meet with Ms. Hamstra prior to the July meeting.

EMERGENCY MANAGEMENT/FIRE DISTRICTS: Upon a motion by Commissioner Bryson and seconded by Commissioner Simpson the Board unanimously voted to grant final approval to extend fire districts from five miles (5) to six miles for Burningtown-Iotla, Clarks Chapel, Cowee, Cullasaja Gorge, Franklin Rural (Municipal #1), Highlands Rural, Nantahala, Otto, Scaly Mountain and West Macon fire districts per contracts approved at the November 5, 2001 meeting.

HUMAN RESOURCES: Upon a motion by Commissioner Leatherman and seconded by Commissioner Shepherd the county's State Salary Plan for competitive services employees (Health and Social Services) was unanimously approved as submitted. (A copy of the plan is on file in the Human Resource Office.)

FINANCE: Budget Ordinance - Upon a motion by Commissioner Bryson and seconded by Commissioner Leatherman the Board unanimously voted to adopt the

budget ordinance for FY 2003-2004 per attachment #1. Budget revisions - The following budget revisions were unanimously approved:

revision #177, upon a motion by Commissioner Bryson and seconded by Commissioner Leatherman, appropriating \$133,886 for ambulance purchases as approved by the Board;

revision #178, upon a motion by Commissioner Leatherman and seconded by Commissioner Shepherd, appropriating \$125,000 to Economic Development Capital Reserve Fund;

revision #179, upon a motion by Commissioner Bryson and seconded by Commissioner Simpson, appropriating \$4,000 Smart Start funds in the Health Department;

revision #180, upon a motion by Commissioner Shepherd and seconded by Commissioner Bryson, appropriating \$4,750 State Bioterrorism grant funds in the Health Department for teleconferencing site;

revision #181, upon a motion by Commissioner Bryson and seconded by Commissioner Simpson, budgeting \$1,000 Partnership for Health, Inc. grant funds;

revision #182, upon a motion by Commissioner Leatherman and seconded by Commissioner Shepherd, appropriating \$1,966 funding for JCPC golf tournament proceeds;

revision #183, upon a motion by Commissioner Shepherd and seconded by Commissioner Bryson, aligning various FY 2003 budget expenditures by \$253,220;

revision #184, upon a motion by Commissioner Leatherman and seconded by Commissioner Shepherd, appropriating \$13,086 in the Sheriffs Department as local match for the COPS in Schools grant;

revision #185, upon a motion by Commissioner Simpson and seconded by Commissioner Bryson, appropriating \$26,793 state reimbursements received for drug forfeiture allocation for the MAN unit;

revision #186, upon a motion by Commissioner Simpson and seconded by Commissioner Bryson, appropriating \$3,527 federal reimbursements received for drug forfeitures;

revision #187, upon a motion by Commissioner Bryson and seconded by Commissioner Shepherd, appropriating \$41 state reimbursements received for drug forfeitures;

revision #188, upon a motion by Commissioner Shepherd and seconded by Commissioner Leatherman appropriating \$21,505 state reimbursements received for drug forfeitures for the MAN unit; revision #189, upon a motion by Commissioner Bryson and seconded by

Commissioner Leatherman, aligning budget amounts (\$204,153) in the fire/rescue tax fund; revision #190, upon a motion by Commissioner Shepherd and seconded by Commissioner

Leatherman, appropriating \$200,000 in the Health Insurance Fund;

revision #191, upon a motion by Commissioner Leatherman and seconded by Commissioner Bryson, appropriating interest earnings and contingency to debt service payment in Schools Package A Capital Project;

revision #192, upon a motion by Commissioner Bryson and seconded by Commissioner Simpson, appropriating \$136,315 for the Highlands gym capital project;

revision #193, upon a motion by Commissioner Simpson and seconded by Commissioner Bryson appropriating \$40,000 from General Fund for the SCC Law Enforcement facility capital project;

revision #194, upon a motion by Commissioner Leatherman and seconded by Commissioner Shepherd, appropriating \$203,571 for the completion of the garage/maintenance facility and the Nantahala EMS facility; and

revision #195, upon a motion by Commissioner Shepherd and seconded by Commissioner Simpson appropriating \$5,000 RC&D Grant for canoe access on Cartoogechaye Creek.

(Note: revisions with corresponding numbers are attached.)

Capital Project Ordinances - Upon a motion by Commissioner Simpson and seconded by Commissioner Leatherman the Board unanimously adopted the attached Capital Project Ordinance for the SCC Law Enforcement Facility Upgrade at \$40,000.

(Attachment #2) Upon a motion by Commissioner Bryson and seconded by Commissioner Leatherman the Board unanimously voted to adopt the attached Capital Project Ordinance for the Highlands School Gym project at \$2,337,315. (Attachment #3.)

Credit Cards - Finance Director Kim Woodley reported the County has been advised that the United States Forest Service will no longer make payments by check or petty cash but by credit cards. Ms. Woodley advised receipt of payments by credit card had been included when the county solicited bids for financial services but would take some work to implement. Commissioner Shepherd made a motion to authorize the County Manager and County Finance Director to institute the use of credit cards in departments where applicable. The motion was seconded by Commissioner Simpson and all favored.

MACON PROGRAM FOR PROGRESS: Discussion of concerns some Board Members have expressed relative to reduction of the Commissioners' representation on

the MPP board and that the terms of the by-law are not being met was tabled. Chairman West stated MPP Chairman Buck Trott was looking into the matter.

TAX RELEASES: Upon a motion by Commissioner Shepherd and seconded by Commissioner Simpson the Board unanimously voted to approve tax releases in the amount of \$1,785.87 as submitted. (A computer printout of releases is on file in the Tax Department and the County Manager's Office.)

LEGAL: Surplus property/Department on Aging Easement - Upon a motion by Commissioner Simpson and seconded by Commissioner Bryson the Board unanimously voted to adopt the attached resolution declaring a 60-foot wide easement as surplus and authorized for sale at public auction. It was noted that the right to reject any bid should be reserved. (Attachment #4) (Note: A corrected resolution was adopted at the July, 2003 meeting.) Fruit and Vegetable Growers Co-op - The County Manager reported after meeting with the board of directors of the Co-op that it was generally agreed that it is time to close the Co-op. Mr. Greenwood stated the agreement between the County and the Co-op is complicated and made the following recommendation: that an appraisal on all property involved with the Co-op be obtained with both Board's sharing the cost, that a phase I environmental study be done with both Board's sharing the cost and that the property be declared surplus and offered for sale in cooperation with the Co-op Board. Commissioner Simpson made a motion to approve the recommendation as presented and authorize the County Manager to work with the Co-op Directors as necessary. The motion was seconded by Commissioner Shepherd and all favored. Interlocal Agreement/Cartoogechaye Sewer Trunk - Changes to the interlocal agreement between the Town of Franklin and the County on the Cartoogechaye sewer trunk were discussed after which Commissioner Bryson made a motion to approve the agreement with changes as discussed. The motion was seconded by Commissioner Simpson and all favored. (Attachment #5) Mountain Area Support Services (MASS) - The County Attorney reported the agreement between MASS and Macon County for lease of the New Bridge Facility had been completed. The Board expressed the desire that Macon County kids be given housing priority at the facility and Macon County residents be given job priority. The agreement will be presented for final approval at the July meeting. (Attachment #6)

BOARD MEETINGS: Upon a motion by Commissioner Simpson and seconded by Commissioner Leatherman the Board unanimously voted to hold the August 4th meeting at the Highlands Conference Center at 6 p.m. and to schedule the September meeting for September 8th due to Labor Day Holiday.

CONTRACTS: The County Attorney informed the Board that the contracts between Cott Systems and the Register of Deeds and the scrap tire contract with U.S. Tire Recycling are now complete and the County Manager has the authority to execute the contracts on behalf of the County. No action was necessary.

CLOSED SESSION: The County Attorney advised the Board needed to discuss a personnel matter and a matter of litigation in closed session. Upon a motion by Commissioner Leatherman and seconded by Commissioner Simpson the Board unanimously voted to go into closed session to discuss the above referenced items. No action was taken during closed session and upon a motion by Commissioner Simpson and seconded by Commissioner Bryson the Board voted to return to open session.

EMPLOYMENT CONTRACT: Upon a motion by Commissioner Bryson and seconded by Commissioner Shepherd the Board unanimously voted to approve an open-ended twelve month employment agreement with the county manager. (A copy of the agreement is on file in the Human Resource Department and the County Manager's Office.)

ADJOURNMENT: Upon a motion by Commissioner Bryson and seconded by Commissioner Shepherd the Board unanimously voted to adjourn.

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Sam K. Greenwood, County Manager  
Ex Officio Clerk to the Board

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Mark B. West  
Board Chairman

Minutes

