

MACON COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 27, 2010 - 2 P.M.
MINUTES

CALL TO ORDER: Chairman Beale convened the meeting at 2:00 p.m. and welcomed everyone present. All Board Members, the County Manager, Deputy Clerk, members of the news media and interested citizens were present.

ANNOUNCEMENTS: Chairman Beale reminded the Board of the reception for the new SCC President, Richard Collings, to be held September 30th from 4:00 – 5:30 p.m. at the Jackson County campus; that a formal request had been sent to NCDOT to hold a public hearing in Macon County on the Needmore Road project and that he would be in Raleigh later in the week for a Human Services committee meeting. The County Manager stated the County Attorney was absent because he was in court in Clay County and the Finance Director was out of town.

INVOCATION: Commissioner Beale gave the invocation.

PLEDGE OF ALLEGIANCE: The pledge to the flag was recited.

PUBLIC COMMENT: None

ADDITIONS/ADJUSTMENTS TO THE AGENDA: Upon motion by Commissioner McClellan, seconded by Commissioner Davis, the agenda was approved as submitted with the following additions: added a report from Town Alderman Verlin Curtis as item #10B and add a request from the Town of Franklin by Commissioner Simpson as item #10C.

SMOKY MOUNTAIN CENTER: LME Director Brian Ingram gave an update from Smoky Mountain Center stating negotiations with the Evergreen Foundation are ongoing; explained that mediation between the LME and Evergreen is a possibility; stated the divestment of services went beyond what the state felt was an appropriate time but is now operative in conjunction with Appalachian Community Services. He introduced Appalachian CEO Duncan Sumter. Mr. Ingram and Mr. Sumter both emphasized there are now more treatment services available; therefore, they are more able to meet the service demands of the community and this access to services is reflected in the increase in service volume numbers. When questioned about programs in the schools Mr. Ingram stated there a plans to do outreach in the schools but they have not yet done so but will. No action was necessary.

PUBLIC HEARING: CDBG/Housing – Chairman Beale convened the public hearing at 2:30 p.m. as noticed for the purpose of providing information to the public on the North Carolina Community Development Block Grant Program and Macon County's intent to apply for a CDBG 2010 Scattered Site Rehabilitation grant in the amount of \$400,000. Housing Director John Faye was present to explain the application and answer questions. There were no public comments and the hearing was closed. **Grant**

Application – Upon motion by Commissioner Simpson, seconded by Commissioner McClellan, the Board unanimously voted to authorize the Housing Department to pursue a CDBG 2010 Scatter Site Rehabilitation grant in the amount of \$400,000.

MENTAL HEALTH AWARENESS WEEK: Debbie Roberts, National Alliance on Mental Illness (NAMI) member, stated she was the face of mental illness and explained there is no cure for mental illness but it is treatable just as heart disease or diabetes are treatable. Ms. Roberts stated locally NAMI is less than three years old, one of the smallest units, but one of the fastest growing and added that Macon County is extremely supportive of mental health services. She requested that October 3rd through October 10th be proclaimed Mental Health Awareness Week in Macon County. By acclamation the Board proclaimed October 3rd – 10th as Mental Health Awareness Week in Macon County as requested. (Attachment #1)

DETENTION CENTER SECURITY SYSTEM BIDS: David Musacchio, Criminal Justice Facility Planning Consultant, was present to answer questions concerning proposals for replacement of door control, intercommunication and closed circuit television systems for the County Detention Center and the recommendation to accept the low proposal from Southwestern Communications. County Manager Horton stated background information on Mr. Musacchio's qualifications, ownership of Southwestern Communications and references had been presented to the Board for review with their agenda package. After discussion including an issue concerning licensing, Commissioner McClellan made a motion to accept the proposal of Southwestern Communications at a base cost of \$79,616. The motion was seconded by Commissioner Davis and passed four to one with Commissioner Simpson opposing.

TRANSIT SERVICES: Transit Director Kim Angel advised that the NC Department of Transportation Public Transportation Division (PTD) hired a consulting firm to review NC transit systems to ensure that they are in compliance with federal regulations. Following the review a list of findings was sent to the systems for correction and NCDOT has given Macon County 45 days to correct these findings (with one exception that will require more time). Ms. Angel reported the following items were developed and requires approval by the governing board so that MCT is in compliance with Federal regulations:

Charter Policy: Under federal regulations, grantees that receive federal funds may not provide transit services that are in direct competition with private providers. In 2008, FTA determined a set of exemptions and exceptions to this rule. This policy states that Macon County Transit will NOT provide charter service unless it falls under the exemptions or the exception listed in the policy.

Drug & Alcohol Testing Policy – MCT is required to have a drug & alcohol testing policy that complies with federal regulations. The current policy was adopted by the Board of Commissioners in May, 2003. The proposed new policy makes the following changes:

- 1) Changes have been made to the regulations adding testing requirements for the drug “ecstasy” to the testing profile.
- 2) Thirteen definitions were modified or added to harmonize with HHS definitions, and one was removed.

In addition, MCT has chosen to have a “zero tolerance” policy for positive test results. Under the old policy, an employee could be sent for treatment and return to duty. Under this policy, an employee who tests positive for drugs and/or alcohol, above the threshold, will have their employment terminated.

Upon motion by Commissioner Davis, seconded by Commissioner McClellan, the Board unanimously voted to accept the policy changes as recommended by Ms. Angel.

System Safety Plan – Ms. Angel also noted the NC Board of Transportation passed a resolution requiring community transportation systems to have in place, “an approved System Safety Program Plan which includes provision for local system safety data collection and reporting”. She added this resolution was passed some time ago and MCT inadvertently failed to get this plan approved by the governing board. She submitted the attached resolution for consideration noting she has been told by NCDOT that this plan needs approval, as part of the federal compliance process, and will put MAT in a compliance status. Upon motion by Commissioner McClellan, seconded by Commissioner Koppers, the Board unanimously voted to adopt a Resolution Approving a Passenger, Vehicle and System Safety Program Plan for Macon County Transit per **attachment #2** subject to the approval of the County Attorney. Ms. Angel noted that all of these items have been reviewed and discussed with Attorney Jones.

NC HIGHWAY PATROL VIPER TOWER – Franklin Alderman Verlin Curtis stated the North Carolina Highway Patrol has proposed locating a 474 foot viper tower on state owned property on Ivar Street in a residential area within the Franklin city limits and in close proximity to the Macon County Airport. Mr. Curtis explained towers are objects of fear for pilots because they are hard to see and that the State doesn’t recognize county or city ordinances. He requested the Board’s help in whatever ways possible to encourage relocation of the tower to a less residential area and farther away from the airport. The County Manager and County Attorney were asked to work with the town and other necessary agencies to review alternative locations. Commissioner Simpson stated this was the item he wanted to discuss and had no comments on the agenda addition he requested except the Board should look at 441 South sites.

CONSENT AGENDA: Upon motion of Commissioner Simpson, seconded by Commissioner Koppers, the Board unanimously approved the following items on the consent agenda: **Minutes** – Approved the minutes from the September 13th meeting. **Budget revisions** – Revision #39, appropriating \$2,875 new CRC funds for outreach in DSS and revision #40, budgeting \$849 additional SHIPP funds in DSS. (Note revisions with corresponding numbers attached.) **Tax releases** – Approved tax releases in the amount of \$25,463.36. (A computer print-out of releases is on file in the Tax Office and the County Manager’s Office.) **Senate Bill S510** – Adopted a resolution concerning amendments to Senate Bill S510 relative to local farmers, tailgates, sales, etc. **per attachment #3.**

BOARD OF ADJUSTMENTS: Upon motion by Commissioner Simpson, seconded by Commissioner Davis, the Board unanimously voted to reappoint Ben Swafford and alternates Byron McClure and Charles Thun to the Board of Adjustments with terms to expire April 23, 2013.

ADJOURNMENT: Upon motion by Commissioner Koppers the meeting was adjourned.

Jack Horton, County Manager
Clerk to the Board

Ronnie Beale
Board Chairman