

MACON COUNTY BOARD OF COMMISSIONERS
FEBRUARY 8, 2011 – 6 P.M.
MINUTES

Prior to the regular meeting services awards were presented to county employees with a reception following. The following awards were presented: 10 years - Seth Adams, Karen Alfonso, Rhonda Blanton, Lisa Browning, Clay Bryson, Shelia Conley, Cindy Dryman, James Dubose, Lisa Marling; 15 years – Jennifer Alexander, Connie Baird, Sue Blaine, Tereasa Curtis, Kyra Doster, Jennifer Hollifield, John Hook, Darryl Jamison, Diane Keener, Shane McConnell, Gene McDonald, Teresa McDowell; 20 years – Rebecca Barr, Shane Corbin, Melissa Leatherman, Kathy McDonald, Debbie Reeves, Tamara Welch, Royce Woods; 25 years – Bob Hunt, Richard Lightner, Patrick Muse, Bruce Wooten; 30 years – Fred Campbell and 35 years – Wilma Anderson. Each Board Member expressed appreciation to the employees for their service.

CALL TO ORDER: Chairman McClellan convened the meeting at 6:00 p.m. and welcomed everyone present. All Board Members, the County Manager, Deputy Clerk, Finance Officer, County Attorney, members of the news media and interested citizens were present.

ANNOUNCEMENTS: Commissioner Beale stated he has been asked to pursue the second vice presidency of the NCACC and with the Board’s support would pursue that in an effort to have a voice in the western end of the state. Chairman McClellan shared an invitation to Clay County’s sesquicentennial on February 21st. It was noted two Board Members and the County Manager will be out of town on March 8th so the meeting will be convened for the purpose of recessing.

INVOCATION: Commissioner Corbin gave the invocation.

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

PUBLIC COMMENT: **Eddie Tippett** stated he had been informed by Paul Higdon that the county and/or the town wanted to put a water line on his property on Highway 28 and he does not want it. He added he was offered a one-time payment of \$1000 and he had made a counter-offer which he has not received a response to. He stated he had also heard that the county manager had said “they would cross his property anyway” and that upset him. The County Manager responded that the engineers on the project had worked on the encroachments and easements for the Riverbend and Swiss Colony projects which is an on-going process. He added that the water line really needs to go in. The Board asked that Mr. Tippett enter into dialogue with the engineers and county manager. **Lee Hodges** addressed the proposed Zahner Wilderness area near Highlands stating the Board held the key for protection of the area on a national level. She added that people come here to be a part of this wilderness area which is a root of the economy in Macon County and support of wilderness area(s) promotes the local economy. **John Binkley** stated he was addressing the High Impact Ordinance on behalf of his Clark Chapel neighbors and himself who reside near the proposed motor cross track area. He stated he feels the

ordinance allows too many hours of unlimited use and requested that section of the ordinance be reviewed and consideration be given to adjusting the hours to a lower level. He was advised to appear before the Planning Board and present the request. **Albert Warrick** reiterated his request that the proposed viper tower not be located on the site near the Welcome Center. He added that he had sought alternate sites for the tower and presented letters from James VanderWoude and Richard Hasle who expressed a willingness to negotiate with the state for location of the tower on their respective property. **Jenny Sanders** with the Little Tennessee Watershed Association informed the Board Southwings Conservation would again be flying free landslide viewing flights and presented the Board with the Southwings 2011 calendar which shows a view of a Macon County flight.

ADJUSTMENTS AND APPROVAL OF THE AGENDA: The Finance Director advised that budget revision #83 in the consent agenda had been revised and the Chairman requested a statement on the proposed Zahner Wilderness Area be added as item #9a under old business. Upon motion by Commissioner Beale, seconded by Commissioner Corbin, the Board unanimously voted to approve the agenda with the requested changes.

PROPOSED WILDERNESS AREA: Chairman McClellan stated that after much talk and deliberation on the proposed Zahner Wilderness Area designation no consensus could be reached and the Board was not taking any action at this time. He expressed appreciation to everyone for their comments and concerns.

GREENWAY INVASIVES PARTNERSHIP AGREEMENT: Sunny Himes, Project Manager for the Greenway Invasives Partnership, explained the scope of the project and the proposed agreement between Macon County and the Land Trust for the Little Tennessee. After a lengthy discussion Ms. Himes was instructed to continue to work with the County Attorney, County Manager and bring back a final agreement with right-of-ways, the right to work on sewer lines, etc. all outlined.

INTERBASIN TRANSFER/RABUN COUNTY: Jenny Sanders gave an update on the interbasin transfer issue in Rabun County. Upon motion by Commissioner Beale, seconded by Commissioner Koppers, the Board unanimously voted to adopt a resolution in support of Rabun County in their concern that the guidelines for interbasin transfers approved by the Georgia Department of Natural Resources Board on January 26, 2011, have no enforceable regulations regarding interbasin transfers in the State of Georgia and urging the General Assembly of Georgia to pass a statute that regulates the transfer of waters from one river basin to another per **attachment #1**. Commissioner Beale also suggested contacting Representative Phil Haire to encourage getting the North Carolina bill dealing with interbasin transfers out of committee.

JSM CATTLEMEN'S ASSOCIATION: A letter from the Jackson, Macon, Swain (JSM) Cattlemen's Association requesting a contribution to the WNC Regional Livestock Center was presented. It was noted that Buncombe County has pledged a fifty percent match of funds raised. Upon motion by Commissioner Beale, seconded by

Commissioner Corbin, the Board unanimously voted to appropriate \$5,000 from Contingency toward the project.

(**Note:** Item #11D, surplus property disposal, was pulled from the consent agenda and handled separately.)

CONSENT AGENDA: Upon motion by Commissioner Corbin, seconded by Commissioner Haven the following items on the consent agenda were unanimously approved: **Minutes** – Approved the minutes from the January 11th and 29th meetings. **Budget revisions** – Approved the following budget revisions: revision #79, increasing DSS Duke Energy Assistance allocation by \$48; revision #80, increasing DSS Crisis Intervention funds by \$38,198; revision #81, changing funding for Health Smart Start employee status; revision #82, allocating \$1,000 additional Health Diabetes Program funds; revision #83, allocating \$80,000 additional State funds for H1N1; revision #84, appropriating \$6,875 from Contingency to Finance for necessary financial software training due to change in staff; revision #85, appropriating \$167,667 in state grants and local match to the Airport Authority Capital Project Fund; and revision #86, appropriating \$792,000 in state grants and local match to the Airport Authority Capital Project Fund. (Revisions with corresponding numbers attached.) **Tax Releases** – Approved tax releases in the amount of \$2,727.90. (A computer print-out of releases is on file in the Tax Department and County Manager’s Office.) **Unpaid taxes report** – Acknowledged receipt of unpaid 2010 tax report in the amount of \$1,987,026.35 and authorized advertisement per **attachment #2**. **March meeting** – Agreed to convene the March 8th meeting and recess until March 15th because two members and the manager will be out of town on the 8th.

SURPLUS PROPERTY DISPOSAL: Upon motion by Commissioner Koppers, seconded by Commissioner Beale, the Board unanimously approved an ordinance concerning procedures for disposing of personal property valued at less than \$5,000 for any item or groups of items by Macon County in substitution for requirements of Article 12 or Chapter 160A of the North Carolina General Statutes per **attachment #3**.

SOLID WASTE/SURPLUS PROPERTY – Upon motion by Commissioner Beale, seconded by Commissioner Koppers, the Board unanimously voted to declare twelve (12) 40 yard solid waste roll-off containers as surplus. At a previous meeting the Solid Waste Director reported the Department attempts to rehabilitate the containers when possible but the cost to repair these containers would be prohibitive. **Negotiated Offer** – A negotiated offer from Triple E. Recycling and Consulting Company, LLC to purchase the twelve (12) 40 yard solid waste containers for the sum of \$6,000 was presented. Upon motion by Commissioner Haven, seconded by Commissioner Corbin, the Board unanimously voted to accept the negotiated offer subject to the upset bid process.

APPOINTMENTS: Nursing/Adult Care Home Community Advisory Committee – Appointment was delayed. **Economic Development Commission:** Upon motion by Commissioner Corbin, seconded by Commissioner Koppers, the Board unanimously voted to reappoint Donnie Bishop to the EDC as the Franklin Chamber representative. Chairman McClellan made a motion to accept the recommendation to designate Brian

Stielier as the Highlands Chamber representative on the EDC and to appoint Steve Chenoweth as the at-large member replacing Craig Smith whose term has expired. All terms will expire January 31, 2014. **Franklin/Nantahala TDC:** Upon motion by Commissioner Koppers, seconded by Commissioner Beale, the Board unanimously voted to accept the Franklin Chamber's recommendation to appoint Gary Shields to replace John Norris as the representative of the Franklin Chamber Board of Directors on the Franklin/Nantahala TDC. Mr. Norris' term as a Director expired and he is not longer eligible to serve. Term will expire September 15, 2013. **Health Board:** Upon motion by Commissioner Koppers, seconded by Commissioner Corbin, the Board unanimously voted to appoint Dr. Frank Killian to the Health Board representing Optometrist to replace Dr. David Hill who did not wish to be reappointed. Term will expire January 1, 2014.

RECESS: The meeting was recessed until 4 p.m. on February 10 at Macon Bank Corporate Center to meet jointly with the Planning Board.

Jack Horton, County Manager
Clerk to the Board

Brian McClellan
Board Chairman