

MACON COUNTY BOARD OF COMMISSIONERS  
DECEMBER 6, 2004  
MINUTES

Chairman West convened the meeting at 6 p.m. All Board Members including Commissioner-Elect Jim Davis, the County Manager, County Attorney, Staff Attorney, Deputy Clerk, Assistant Finance Director, members of the news media and interested citizens were present. Commissioner Shepherd gave the invocation.

MINUTES: The minutes of the November 1st and 22nd meetings were unanimously approved as submitted upon motion by Commissioner Simpson and seconded by Commissioner Shepherd.

Vice-Chairman Bryson presented a plaque of appreciation to out-going Chairman Mark West and commended his service to Macon County during his four years on the Board.

ELECTION OF CHAIRMAN AND VICE-CHAIRMAN: The meeting was turned over to County Manager Sam Greenwood for election of Chairman. Commissioner Shepherd nominated Commissioner Bryson for chairman. The nomination was seconded by Commissioner Leatherman. Commissioner Simpson made a motion nominations cease. The motion was seconded by Commissioner Shepherd and all favored. Commissioner Bryson was elected by acclamation. The gavel was passed to Chairman Bryson who opened the floor for nominations for Vice-Chairman. Commissioner Davis nominated Commissioner Leatherman for Vice-Chairman. The nomination was seconded by Commissioner Shepherd. Commissioner Davis made a motion that nominations cease. The motion was seconded by Commissioner Shepherd and all favored.

ADDITIONS/ADJUSTMENTS: It was reported Franklin Alderman Verlin Curtis was present and had requested an issue dealing with Duke Power be added to the agenda. Upon motion by Commissioner Davis and seconded by Commissioner Shepherd the Board unanimously voted to add the item.

PUBLIC SESSION: Narrelle Kirklund informed the Board she is now working on the Greenway assisting with clean up from Hurricanes Francis and Ivan, stated Mark West had been on the Board the entire time she has lived in Macon County and has done a very good job. Ms. Kirklund passed leaves she found from two Chestnut trees which are growing on their own and questioned how the trees can be nurtured. She stated she had seen a picture of the proposed library in the Press and asked that the Board take a close look at the building stating the building not only needs to serve but should look good. Sheriff Robbie Holland updated the Board about the Shop with a Cop Project his department does stating all funds are donated and no county funds are used for the program. Some of the Board Members and public gave Sheriff Holland contributions for the project.

CELL TOWER APPLICATION: County Planner Stacey Guffey stated Pegasus Tower, who made a request at the November meeting for a permit to locate a tower on Dills Knob off Peeks Creek, has agreed to bury the power lines that will service the site and have met all other requirements of the Telecommunications Tower Ordinance. Upon motion by Commissioner Simpson and seconded by Commissioner Leatherman the Board unanimously voted to grant the permit with a request that the company use dull rather than shiny aluminum for the tower.

J&B DISPOSAL, INC. RATE REQUEST: Bonita Hamstra, President of J & B Disposal, presented a request for a service rate increase on commercial container services from \$2.15 per yard to \$2.60 per yard. Ms. Hamstra stated this request was being made due to the increase in overall operational cost and the need to replace two trucks. Upon motion by Commissioner Simpson and seconded by Commissioner Davis the Board unanimously approved the increase as requested.

MACON PROGRAM FOR PROGRESS HOUSING PROGRAM: Progress Report - Housing Director Rick Norton presented the attached progress report for the 2004 Scattered Site Rehabilitation Project, CDBG Grant #04-C-1234. No action was necessary and the Board acknowledged receipt of the report. (Attachment #1). Release Deed - Mr.

Norton submitted a release deed for Mrs. Katherine Hurst who wishes to sell one acre of her property which is secured by a note and deed of trust to Macon County under the old CDBG grant #01-C-0805. Mr. Norton recommended approval of her request explaining her remaining property and residence provide more than enough collateral to secure the remaining unforgiven portion of her original deed of trust. Commissioner Leatherman made a motion to approve release as requested and to authorize the Chairman to sign the release deed. The motion was seconded by Commissioner Shepherd and all favored.

**MENTAL HEALTH UPDATE:** Tom McDevitt and Shelly Lackey from Smoky Mountain Center were present to give an update on mental health reform, programs offered by Smokey and future program plans. No action was necessary.

**FRIENDS OF ANIMALS:** Commissioner Leatherman stated he had not had time to review all the information from Friends of the Animals and made a motion to table until the January meeting the request from Friends of Animals to administer the state neuter/spay program on behalf of the County. The motion was seconded by Commissioner Shepherd and passed three to two with Commissioners Simpson and Davis opposing.

**RECREATION:** Recreation Director Seth Adams and Recreation Commission Chairman Matt Bullis requested permission to submit a PARTF grant of \$195,000 for renovation of the gym at the Community Facilities Building explaining the gym was built in 1977 and has had no major work done since. They also explained the grant is 50/50 and would require \$97,500 local match. Commissioner Simpson made a motion to authorize submission of the grant application. The motion was seconded by Commissioner Davis and all favored. (See attachment #2.) Mr. Adams also gave a brief update on the South Macon Project.

**MASON MOUNTAIN DRIVE:** Upon motion by Commissioner Davis and seconded by Commissioner Simpson the Board unanimously voted to forward a resolution to NCDOT recommending Mason Mountain Drive be added to the State System per information from NCDOT. (Attachment #3)

**JANUARY MEETING:** Upon motion by Commissioner Simpson and seconded by Commissioner Leatherman the Board unanimously voted to change the meeting time of the January 3rd meeting from 6 p.m. to 9 a.m. to accommodate employees receiving service awards.

**APPOINTMENTS:** Planning Board – Commissioner Leatherman made a motion to reappoint Jimmy Goodman to the Planning Board. The motion was seconded by Commissioner Davis and all favored. Term will expire November 1, 2007. Former Commissioner West had reported Richard Baldwin's resignation from the Planning Board. Commissioner Leatherman explained it was difficult to recruit committee representatives from the Nantahala Community, that Mr. Goodman lives in that district and based on that information made a motion to appoint Mark West to fill the unexpired term. The motion was seconded by Commissioner Simpson and all favored. Term will expire April 23, 2006. Health Board – Commissioner Simpson made a motion to appoint David Hourdequin to the Health Board representing engineers to fill the unexpired term of George Sweet who has moved from the area. The motion was seconded by Commissioner Shepherd and all favored. Term will expire June 30, 2005. Highlands Recreation Commission – The term of Phillip Gates on the Highlands Recreation Commission expired on December 6, 2004. Chairman Bryson stated the Commission has discussed allocation of one position on the Commission to the Highlands Town Board Recreation Commission. Commissioner Simpson made a motion to allocate the position vacated by Mr. Gates to the Highlands Town Board Recreation Commission as recommended. The motion was seconded by Commissioner Leatherman and all favored. Commissioner Davis made a motion accept the recommendation to appoint John Shearl to the Highlands Recreation to fill the unexpired term of Frank Ferree who has moved from the area. Term will expire December 6, 2005.

**TAX RELEASES:** Upon motion by Commissioner Simpson and seconded by Commissioner Shepherd the Board unanimously voted to approve tax releases in the amount of \$4,491.40 as submitted. (A print-out of releases is on file in the Tax Department

and the County Manager's Office.)

FINANCE: Capital Project Ordinances – Upon motion by Commissioner Leatherman and seconded by Commissioner Simpson the Board unanimously voted to adopt a grant project ordinance for the Highlands Plateau Water System Consolidation Study in the amount of \$44,500 per attachment #4. Upon motion by Commissioner Simpson and seconded by Commissioner Shepherd the Board unanimously voted to adopt the Clean Water Management Trust Fund Grant Project Ordinance in the amount of \$721,000 per attachment #5. Budget revisions: Upon motion by Commissioner Simpson and seconded by Commissioner Leatherman the Board unanimously voted to appropriate \$350,000 additional appropriation approved September 7, 2004. (Attachment #6) Commissioner Simpson made a motion to appropriate \$721,000 Clean Water Management Trust Fund Grant 2004A-409. The motion was seconded by Commissioner Shepherd and all favored. (Attachment #7)

COMMUNITY CHILD PROTECTION TEAM AND CHILD FATALITY PREVENTION TEAM REPORTS: The Board acknowledged receipt of written reports from the two referenced teams per attachments #8 and #9)

DUKE POWER: Verlin Curtis stated he wanted to address the issue of relicensing of dams by Duke Power and, although the deadline has passed, requested the Board to consider a late intervention explaining the town recently voted for late intervention. In order to discuss the item Commissioner Simpson made a motion to intervene as requested. The motion was seconded by Commissioner Davis. After discussion, including Mr. Curtis and Fred Alexander, District Manager of Duke Power/Nantahala Area, the motion passed three to two (3-2) with Commissioners Davis and Leatherman opposing. The County Manager was authorized to sign required documents and contracts.

ADJOURNMENT: Commissioner Simpson made a motion to adjourn.

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Sam K. Greenwood, County Manager  
Clerk to the Board

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Daniel A. Bryson  
Board Chairman

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