

MACON COUNTY BOARD OF COMMISSIONERS
AUGUST 7, 2006
MINUTES

Chairman Bryson convened the meeting at 6 p.m. All Board Members, the County Manager, Deputy Clerk, Finance Officer, County Attorney, members of the news media and interested citizens were present. Commissioner Shepherd gave the invocation.

ADDITIONS/ADJUSTMENTS TO AGENDA: The Board voted unanimously to add the following items to the agenda:
upon motion by Commissioner Simpson and seconded by Commissioner Davis, problems on the Greenway;
upon motion by Commissioner Davis and seconded by Commissioner Leatherman, a letter to legislators;
upon motion by Commissioner Simpson and seconded by Commissioner Leatherman, the pump station for the SCC/Library project.

PUBLIC SESSION: Larry Noyes from the Nantahala Community expressed appreciation to Commissioner Leatherman, the Nantahala district representative, and administration for the support and improvements already done on the Nantahala Recreation Facility. Mr. Noyes asked for safety improvements to the combination basketball/tennis court stating cost to pad the post would be approximately \$350, presented a request on behalf of residents for installation of a shuffle board and beach volley ball court and asked for improvements to the baseball field. He explained residents understood that these improvements may need to be spread over two budget years.

Lori Mersheimer representing Mothers Against Sex Offenders advocated the importance and support of the proposed ordinance on the agenda prohibiting registered sex offenders from being on county recreational property but requested additional provisions to do whatever possible to protect the children.

Kay Corelli, President of FROGS, explained concerns residents had expressed about the use of Segways on the Greenway and presented recommendations voted on by the FROGS to limit use of the Segways on the Greenway. (A list of recommendations is on file in the County Manager's Office).

Nancy Hancock, owner of Mountain Glides who uses Segways for tours around town including on the Greenway, explained the process her company uses when renting a Segway and stated she felt it was unfair to ban them from the Greenway or to charge for using the Greenway. Ms. Hancock stated the Segways are not classified as motorized vehicles.

Narrell Kirkland requested the Board to grapple with the kudzu problem in the county, get to the roots and kill it.

Marty Kimsey expressed concerns about the delay in obtaining septic permits stating the county is seeing a loss of real estates sales because people cannot get septic permits and the situation is also creating other problems and economic impacts. Mr. Kimsey complimented the Board on the appointment of Paul Higdon to the Health Board and again stressed the need for a solution.

MINUTES: Upon motion by Commissioner Davis and seconded by Commissioner Shepherd the Board unanimously voted to approve the July 10th public hearing and meeting minutes as submitted with one minor name correction.

COMMUNITY CARE CLINIC: Jerry Hermanson and Mitchell Watson from the Community Care Clinic informed the Board the Clinic is now operational, that services are free to uninsured patients in the Highlands/Cashiers area, is staffed by forty-six volunteers and expressed appreciation to the Board for rental space at the Buck Creek Recreational Facility. No action was necessary and the Board commended the Clinic's service.

EMPLOYER OF THE YEAR AWARD: Chairman Bryson recognized Assistant Manager Wilma Anderson and Finance Director Evelyn Southard who recently accepted an Employer

of the Year award from the North Carolina Employment Security Commission on behalf of the County.

PETITIONS - HIGHLANDS ETJ AREA: Mitch Gurganus and Mike Bryson presented petitions to the Board that was presented to the Highlands Town Board on July 26, 2006. The petitions were signed by residents of Clear Creek and Horse Cove who object to the inclusion of these areas in the ETJ boundary as passed by the Highlands Town Board in November, 2005, stating it was their position that the Town failed to meet the requirements as set out in Article 19, 160a-360 Territorial Jurisdiction Section (B). No action was requested. (Copies of petitions are on file in the County Manager's Office.)

WASTEWATER PERMITS: Health director Ken Ring and Environmental Health Supervisor Barry Patterson were present to give an update on the backlog of wastewater/septic permits and the progress being made to decrease the backlog. Chairman Bryson stated he had asked that this item be placed on the agenda and expressed concerns that the situation was not getting any better in spite of continued promises. The County Manager reported on a meeting he and Chairman Bryson had with a private contracting group which is a form of privatization and a way out of the current dilemma with the initial proposal focusing on high need. He added they are waiting for final figures from the group and when they come in the overall fee schedule needs to be looked at. Commission Davis, the Health Board liaison, stated all Health Board members are sensitive to these issues, they are working hard to resolve them which are not all caused at a local level, changes being made are significant and will make a difference. Mr. Patterson informed the Board that he hoped the department would be caught up to a two to three week backlog by Spring, 2007.

GREENWAY PROBLEMS: The Board briefly discussed problems on the Greenway as presented during public session and appointed Commissioner Simpson to work with the County Manager, County Attorney, FROGS and parties involved to develop a recommendation.

SOCIAL SERVICES: DSS Director Jane Kimsey reported Macon County DSS has successfully operated as a Work First Electing County since the implementation of welfare reform in North Carolina and would recommend the continuation of the Electing County Status for the State Fiscal Years of 2007-2009. She explained the Board of Commissioners must submit the Standard or Electing County designation to the State Division of Social Services by August 31, 2006, with the Work First Black Grant Plan due by October 31st. Upon motion by Commissioner Simpson and seconded by Commissioner Davis the Board unanimously voted to continue as an Electing County. Ms. Kimsey also presented a recommendation on behalf of the DSS Board that Wendy Dalton, the new DSS Board appointee, be appointed to represent the DSS Board on the County Welfare Reform Committee. Upon motion by Commissioner Davis and seconded by Commissioner Leatherman the Board unanimously voted to appoint Ms. Dalton to the Committee. Commissioner Davis reported Tere Swany has been the Health Board's representative on the Welfare Reform Committee and since she no longer serves on the Health Board a new representative will need to be named. He will present that recommendation to the Board at a later date.

NCDOT - ABANDONMENT PETITION: Attorney Orville Coward presented an abandonment petition for a portion of SR #1686, Skylake Drive, south of its intersection with SR 1693, Azalea Road, (inside the Highlands Falls Country Club gatehouse) signed by the abutting property owners. A letter from NCDOT supporting the abandonment was also presented. Commissioner Leatherman made a motion to forward the attached resolution to the NCDOT recommending abandonment of the road as requested. The motion was seconded by Commissioner Shepherd and all favored. (Attachment #1)

OTTO FIRE DEPARTMENT SUBSTATION: Upon motion by Commissioner Leatherman and seconded by Commissioner Simpson the Board unanimously voted to adopt a resolution approving the conveyance of real property to Otto Volunteer Fire

and Rescue, Inc., pursuant to N.C.G.S. §160A-277 for use as a substation.
(Attachment #2)

PURCHASE OF REED PROPERTY: Commissioner Shepherd made a motion to adopt a resolution authorizing the purchase of 1.74 acres located in the Highlands Township owned by Morris Reed for a negotiated price of \$150,000 to be used to expand and upgrade recreational facilities at the Buck Creek Recreation Park. The motion was seconded by Commissioner Davis and all favored.
(Attachment #3)

ORDINANCE PROHIBITING REGISTERED SEX OFFENDERS FROM COUNTY RECREATION FACILITIES: Commissioner Simpson moved to adopt the Macon County Ordinance Prohibiting Registered Sex Offenders from Entry onto County Recreational Facilities, to be codified as Chapter 92 of the Macon County Code. The motion was seconded by Commissioner Davis and all favored. (Attachment #4)

AMENDMENT TO COUNTY PERSONNEL POLICY: After discussion Commissioner Simpson made a motion to amend the County Personnel Policy by removing provisions that state county employees may not run for county commissioner or other partisan offices without taking leave and in the absence of no policy thus allows employees to run for office if not in violation of the Hatch Act. The motion was seconded by Commissioner Bryson and passed three to two with Commissioners Davis and Leatherman opposing.

SEPTEMBER MEETING: Upon motion by Commissioner Davis and seconded by Commissioner Leatherman the Board unanimously voted to change the September meeting to Tuesday, September 5th at 6 p.m. due to Labor Day holiday.

TAX DEPARTMENT: Settlement report - Commissioner Simpson made a motion to acknowledge receipt of the settlement report for FY 2005-2006 taxes from Tax Collector Margaret Perry per attachment #5. The motion was seconded by Commissioner Davis and all favored. Releases - Upon motion by Commissioner Leatherman and seconded by Commissioner Simpson the Board unanimously voted to approve tax releases in the amount of \$10,608.39 as submitted.
(A printout of tax releases is on file in the Tax Collectors Office and the County Manager's Office.)

FINANCE: Community Funding Pool - Action on recommendations of the Community Funding Pool was delayed until September pending further clarification on a couple of the recommendations.
Budget Revisions - The following budget revisions were unanimously approved:
revision #165, upon motion by Commissioner Simpson and seconded by Commissioner Leatherman, budgeting \$3,350 in Inspections to close out year; r
evision #166, upon motion by Commissioner Shepherd and seconded by
Commissioner Leatherman, increasing DSS Medicaid transportation by \$20,000;
revision #167, upon motion by Commissioner Simpson and seconded by Commissioner
Davis, appropriating \$101,660 NRCS NC Division of Emergency Management revenues
for Peeks Creek restoration project;
revision #4, upon motion by Commissioner Leatherman and seconded by
Commissioner Shepherd, appropriating \$822 fund balance in DSS Foster Care;
revision #5, upon motion by Commissioner Shepherd and seconded by Commissioner
Simpson, appropriating \$1,260 fund balance in DSS; r
evision #6, upon motion by Commissioner Simpson and seconded by Commissioner
Leatherman, appropriating \$880 DSS fund balance;
revision #7, upon motion by Commissioner Simpson and seconded by Commissioner
Davis, appropriating \$2,100 addition Bioterrorism funding;
revision #8, upon motion by Commissioner Davis and seconded by Commissioner
Leatherman, adding \$91,755 funding for two Environmental Health positions
omitted from the budget;
revision #9, upon motion by Commissioner Shepherd and seconded by Commissioner
Leatherman appropriating \$8,418 seizure funds in the Sheriff's Department and
revision #10, upon motion by Commissioner Davis and seconded by Commissioner
Shepherd, appropriating funding for purchase of trash compactor.
(Note: revisions with corresponding numbers attached.)
Reimbursement resolution - Upon motion by Commissioner Leatherman and seconded

by Commissioner Davis the Board unanimously voted to adopt a reimbursement resolution per attachment #6 declaring intent to reimburse the County itself from the proceeds of financings for certain expenditures.

LETTER TO LEGISLATORS: Commissioner Davis gave a brief report on the recent forum focusing on the impact of illegal immigrants and the County Manager was instructed to send a letter to the County's legislation delegation and the other ninety-nine North Carolina counties outlining the recommendations from the forum.

SCC/LIBRARY PUMP STATION: The County Manager reported after advertisement for bids for the SCC/Library pump station project only two bids were received. He advised the project is being readvertised and, in the interest of time, requested permission to poll the Board after opening the second bids with formal approval on the September agenda. The Board was agreeable to the procedure.

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

Sam K. Greenwood, County Manager
Clerk to the Board

Daniel A. Bryson
Board Chairman