

MACON COUNTY BOARD OF COMMISSIONERS
DECEMBER 4, 2006
MINUTES

Prior to the regular meeting a reception was held to honor the out-going Board members, the Commissioners-elect and the new County Attorney. Chairman Bryson convened the meeting at 6 p.m. All Board Members, commissioners-elect, the County Manager, Deputy Clerk, County Attorney, County Finance Director, members of the news media and interested citizens were present. Rev. Steve Reeves gave the invocation. Chairman Bryson welcomed everyone present, introduced the new County Attorney Lesley Moxley and introduced commissioners-elect Ronnie Beale and Brian McClellan who had been sworn in earlier in the day. Chairman Bryson recognized Commissioner Shepherd who expressed appreciation to the Board and county citizens for the trust the past four years, expressed appreciation for the honor to serve stating he had learned a lot. Chairman Bryson offered his thanks to Commissioner Shepherd for his service and stated he would like to thank the citizens for the past eight years and appreciated the privilege to serve with his fellow members and work with county staff.

MINUTES: Upon motion by Commissioner Davis and seconded by Commissioner Leatherman the minutes of the November 6, 2006, meeting were unanimously approved as submitted.

Commissioner Bryson passed the gavel to Vice-Chairman Leatherman who recessed the meeting to present plaques and gifts of appreciation to Chairman Bryson and Commissioner Shepherd stating it had been an honor to serve with them. The Board reconvened in regular session with Commissioners Beale and McClellan seated.

ELECTION OF CHAIRMAN AND VICE CHAIRMAN: The gavel was passed to County Manager Greenwood for election of Chairman. Commissioner Davis made a motion to elect Commissioner Leatherman as chairman for the coming year. The motion was seconded by Commissioner Beale. Being no further nominations the Board unanimously voted to elect Commissioner Leatherman by acclamation. The gavel was passed to Chairman Leatherman who opened the floor for nominations for vice-chairman. Commissioner McClellan nominated Commissioner Simpson who asked that his name be withdrawn for consideration. Commissioner Simpson then made a motion to nominate Commissioner McClellan as vice-chair. The motion died for lack of a second. Commissioner Davis nominated Commissioner Beale for vice-chairman stating he felt it was important to follow the precedent which previous boards have established of a bipartisan board. The motion was seconded by Commissioner Simpson and all favored. Chairman Leatherman expressed appreciation to the Board for their confidence and predicted the County is going to change more in the next five years than in the past twenty-five years. He explained it is imperative the Board make the best choices possible and three main areas of his concerns are:
(1) continuation of development of ordinances to protect the environment, land, county, etc. and appointed Commissioner Beale as the liaison to the Planning Board since he is familiar with their work as a former member;
(2) the children who are the most important natural resource. Chairman Leatherman asked Commissioners Davis and Simpson to continue as the liaisons to the Board of Education to meet educational issues and to keep an open-air line of communication with the Board of Education; and
(3) economic development stating we need to develop a plan for economic development that has a positive impact, clean industry and provide opportunities for our children to stay and work here. Commissioners Davis and McClellan were appointed as liaisons to the EDC. Chairman Leatherman stated he would like to have retreat in January and would request the Board to bring what they consider the top five issues in the County to the table.

Chairman Leatherman offered each Member an opportunity to make comments. Commissioner Simpson expressed appreciation for the opportunity to serve for another four years stating there are a lot of issues to deal with and "all roads lead to Macon County". He stated he felt the SCC expansion will make a

major difference to the county.

HOUSING: Public hearing - Chairman Leatherman recessed the meeting at 6:30 p.m. to convene the public hearing as noticed to provide information to the public on the North Carolina Community Development Block Grant Program and to receive public comment. Housing Director Rick Norton explained the Housing Department was interested in pursuing a CDBG 2007 Scattered Site Rehabilitation grant in the amount of \$400,000 and explained to be eligible for funding the Board would need to conduct two public hearings with the second hearing to be scheduled for the January meeting.. There were no comments from the public. Chairman Leatherman adjourned the hearing and reconvened the meeting in regular session. Grant application - Upon motion by Commissioner Simpson and seconded by Commissioner Beale the Board unanimously voted to authorize application for a CDBG 2007 Scattered Site Rehabilitation grant in the amount of \$400,000 and to authorize the Chairman and County Manager to execute the necessary grant documents.

(Comments from Board Members continued) - Commissioner Davis stated he appreciates the opportunity to serve and added that he plans to become more involved and vocal at the state level and through the Association of County Commissioners. Commissioner Beale stated he believed in a common sense approach and would be open minded and have an open ear. Commissioner McClellan expressed appreciation for the confidence of the voters and stated he has no preconceived agenda and just wants to do what's best for the county. He added he wanted to talk more about what can be done than what can't be done.

ADDITIONS/ADJUSTMENTS TO AGENDA: Commissioner Davis requested Senate Bill 1126 be added to the agenda and Commissioner Simpson requested appointments be added. The Board agreed to add SB 1126 as item 8A and appointments as item 9B.

PUBLIC SESSION:

Norm Roberts stated the Board had their work cut out for them and questioned when the County Manager plans to retire.

Bob Wright stated he appreciated the goals outlined by Chairman Leatherman. He added he is vice chairman of the Watershed Council, appreciated the opportunity to speak at last month's meeting concerning a moratorium on high rise construction and encouraged adoption of a moratorium.

John Cleaveland responded to Chairman Leatherman's comments on growth and stated the Board is going to have to be pro-active to preserve what we have. Mr. Cleveland stated the proposed high rise is a prime example of the need to be pro-active, that we need to retain our rural environment, agreed with other comments made concerning enactment of a moratorium and urged the Board to do the right thing.

Elaine Whitehurst, member of Laurel Garden Club, stated most of the club members are retirees who came to Macon County for the same reason, the beauty, not to look at high rise condominiums. Ms. Whitehurst stated eighty-five percent of the county's economy depends on real estate, development and construction. She urged the Board to take action to preserve the beauty and not take away the county's greatest asset.

Edwin Poole stated he opposed the proposed high rise construction and urged the Board to adopt a moratorium before they start popping up all over the county.

Lila Howland stated she was a member of the Highlands/Cashiers Land Trust and they make it their goal to preserve the natural beauty of the area. She urged the Board to do the same by adoption of a moratorium on high rise construction.

Larry Stenger stated the Board is the philosophical leaders of the County, that

most of them are Rotarians and if they govern using the four-way Rotary test Macon County will be in good hands.

Ginny Harris stated she was representing land stewards, expressed concerns about lack of fire protection for the proposed high rise which would mean they could not get insurance and requested regulation of high rise construction.

BUDGET PRESENTATION: Chris Costner of Martin Starnes & Associates, CPA's, P.A., presented the county's FY 05/06 audit stating it was a clean audit with no findings or cost questioned and no internal control weakness found. Mr. Costner did an audio presentation showing various charts and graphs. No action was necessary.

MACON CITIZENS FOR THE HANDICAPPED: Jeannie Garrett. Director of Macon Citizens for the Handicapped accompanied by several board members presented a slide show in honor of their twenty-five years of service explaining the organization's growth and service during those years. Chairman Leatherman presented Ms. Garret with a certificate of appreciation on behalf of the Board of Commissioners and congratulated the group on their growth and success.

SENATE BILL 1126: Commissioner Davis stated SB 1126 takes effect January 1, 2007, and allows people who receive Food Stamps, Medicaid or Work First Family Assistance to qualify for free fishing licenses from the Department of Social Services. He added an estimate from DSS is that it would cost \$16.25 to issue a \$10.00 fishing license that the state has no obligation to make any payment toward and that the cost would be split equally by the county and federal funds. After discussion Commissioner Davis made a motion that the County respectfully decline to participate in the program and to instruct the County Manager to send letters to all ninety nine other North Carolina counties advising them of Macon County's position. The motion was seconded by Commissioner McClellan and passed four to one with Commissioner Simpson opposing.

MORATORIUM ON HIGH RISE STRUCTURES: A recommendation from the Planning Board that a temporary moratorium on the construction of high-rise buildings over 38 feet in Macon County was presented. The Board discussed the recommendation including definitions of a high rise, inclusion of commercial buildings in the moratorium and a limit of 48 feet or 4 stories. Commissioner Simpson made a motion to request the County Attorney to prepare a moratorium for consideration and to schedule a public hearing for noon on December 18, 2006. The motion was seconded by Commissioner Beale and all favored.

APPOINTMENTS: Planning Board - Upon motion by Commissioner Simpson and seconded by Commissioner Davis the Board unanimously voted to reappoint Larry Stenger to the Planning Board. Term of appointment will expire November 1, 2009. Commissioner Davis made a motion to nominate Karl Gillespie to fill the unexpired term on the Planning Board created by the resignation of Commissioner Beale. The motion was seconded by Commissioner Beale. Commissioner McClellan made a motion to nominate Vince West. Commissioner Simpson seconded the motion. Chairman Leatherman called for the vote and Karl Gillespie was appointed with three votes (Beale, Davis and Leatherman). Term will expire April 1, 2007.

LEGAL: Clarks Chapel Fire Department - Upon motion by Commissioner Simpson and seconded by Commissioner Davis the Board unanimously voted to adopt a resolution finalizing the conveyance of property to the Clarks Chapel Fire and Rescue Department pursuant to N.C.G.S. §160A-277 for use as a substation. (Attachment #1) NCDOT easements - The County Manager presented information on right of way, drainage and construction easements to NCDOT on county owned property along the Little Tennessee River on Riverview Street from US 441 to NC 28 per the attached descriptions (attachment #2). Upon motion by Commissioner Simpson and seconded by Commissioner Davis the Board unanimously voted to approve the easements and authorize the County Manager to execute the necessary documents.

ELECTRONIC RECORDS SYSTEM POLICY: The County Manager presented an Electronic Records System Policy for consideration and after discussion on cost to implement the policy Commissioner Simpson made a motion to table action pending project cost information. The motion was seconded by Commissioner Davis and all favored.

LEGISLATIVE GOALS CONFERENCE: Upon motion by Commissioner Simpson and seconded by Commissioner McClellan the Board unanimously voted to designate Commissioner Davis as the voting delegate to the Legislative Goals Conference in Pinehurst. Commissioner Davis stated he would especially like to address Medicaid relief.

JANUARY MEETING: Due to the New Years Day holiday Commissioner Simpson made a motion to change the January, 2007, meeting from the first Monday to January 8, 2007. The motion was seconded by Commissioner Davis and all favored.

RETREAT: The Board tentatively scheduled a retreat for Saturday, January 27, 2007, at the Macon Bank Corporate Center.

TAX DEPARTMENT: Releases - Tax releases in the amount of \$34,252.47 were unanimously approved as submitted upon motion by Commissioner Davis and seconded by Commissioner Simpson. (Note: a printout of releases is on file in the Tax Department and the County Manager's Office.) Revaluation - Tax Assessor Richard Lightner gave a presentation on the upcoming property revaluation showing examples of current appraisals which were done four years ago compared to actual sales. Mr. Lightner advised new appraisal notices will be mailed sometime around mid January, 2007. _ No action was necessary.

RECESS: Chairman Leatherman recessed the meeting until noon on December 18, 2006.

Sam K. Greenwood, County Manager
Clerk to the Board
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Charles D. Leatherman
Board Chairman