

MACON COUNTY BOARD OF COMMISSIONERS
JUNE 16, 2008
MINUTES

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

Chairman Leatherman welcomed everyone then passed the gavel to Commissioner Davis explaining he would be chairing the meeting.

ANNOUNCEMENTS: There were no announcements.

INVOCATION: Commissioner McClellan gave the invocation.

PLEDGE OF ALLEGIANCE: Commissioner Simpson led the Pledge of Allegiance.

PUBLIC COMMENT PERIOD: Shirley Ches, representing Macon Pride, stated the group was formed due to accumulation of litter around the county and was originally named "Good Neighbors" then became "Macon Pride". Ms. Ches added the purpose of the group is to help clean up the county and promote recycling noting county leaders, staff and solid waste officers have listened to their comments. She emphasized the importance of publicity to make everyone aware of recycling with visible recycling bins in public areas, motels, campgrounds, etc. Ms. Ches stated this must be implemented from the top down, that we need a cleaner, greener county because the first impression is a lasting impression. Jimmy Goodman expressed appreciation for the new cushions on the seats in the Board Room.

ADDITIONS/ADJUSTMENTS TO THE AGENDA: It was noted the public hearing on the financing agreement for the 5-6 school and East Franklin renovations had been properly advertised but omitted from the agenda and should be included in Item #7, Public Hearings. The agenda was unanimously approved with addition of the hearing upon motion by Commissioner Beale and seconded by Commissioner McClellan.

PUBLIC HEARING: Commissioner Davis opened the public hearing as noticed. No one spoke in the hearing either for or against the proposed financing. Commissioner Davis asked County Manager Jack Horton to address the proposed financing. Mr. Horton read the public hearing notice which was published in The Franklin Press on June 6th, 2008. Mr. Horton explained that the projects to be financed were the construction of a new fifth and sixth grade school to be built adjacent to the Macon Middle School which currently houses sixth, seventh, and eighth grade students along with an addition at East Franklin School for an amount not to exceed \$20,000,000. The public notice provided an option to include a refinancing of the \$2,600,000 existing debt on the 5 - 6 land, in order to satisfy collateral issues on the \$20,000,000 deal.

Mr. Horton then asked Finance Director, Evelyn Southard, to explain the financing process the County had gone through. Mrs. Southard explained that a Request for Proposals had been sent to nine (9) banks and that four (4) proposals were received. An analysis of the four bank proposals was provided to the Board. Mrs. Southard reported that BB&T Governmental Finance of Charlotte had provided the best proposal which was \$20,000,000 for 20 years at a fixed rate of 4.59%. The bank fee was negotiated not to exceed \$7,500. She explained that BB&T holds the debt on the 5 - 6 school land which is financed currently at a rate of 3.69% for fifteen years with BB&T. Since BB&T has the existing debt and offers the best proposal on the new construction, it will not be necessary to refinance the current debt if the county accepts the BB&T proposal.

The Board commended the Manager and Finance Director for their work on the process and the public hearing was adjourned. (Note: Action for approval

taken later in meeting.)

REPORTS/PRESENTATIONS: State Budget Impacts - Commissioner Davis stated several State bills have been introduced that will have major impacts on the County if passed and noted no member of the local legislative delegation has every contacted him about bills that impact Macon County. Included in the discussion was HB 1889 which would give landowners a 95-98% tax break on acreage between 10 and 100 acres for wildlife habitat. Commissioner Beale stated he had contacted Representative Phil Haire about the bill. After discussion Commissioner Simpson made a motion to forward a letter to the legislative delegation with a copy to the NCACC District 17 representative strongly opposing the bill. The motion was seconded by Chairman Leatherman and all favored.

Also discussed were HB 2692 and 2706 dealing with the taxation of motor vehicles, a bill taking away the county option for transfer tax, issues dealing with mental health, revaluation, solid waste effective dates and state inmate per diem. Upon motion by Commissioner McClellan, seconded by Commissioner Simpson, the County Manager was instructed to forward a letter including concerns on all these issues to the legislative delegation with a copy to the NCACC District 17 representative to take to NCACC.

OLD BUSINESS: Personnel Policy - It was noted a draft of the county personnel policy was presented to the Board last Fall and subsequently the Board gave some suggestions as to rewrites of that draft and a revised copy was recently forward to the Board for final review. Upon motion by Commissioner Beale, seconded by Commissioner Simpson, the Board unanimously voted to approve the Macon County Personnel Policy to be effective July 1, 2008 per attachment #1. Also noted was that some of the Board has suggested there are sections of the policy they would like to revisit at a later date and were advised the policy can be amended anytime at the Board's discretion.

NEW BUSINESS:

Budget Ordinance - The County Manager presented the FY 08/09 budget ordinance explaining modification had been made to reflect changes specified by the Board and the proposed tax rate was reduced from 2.35¢ recommended increase to a 1.9¢ increase. He noted the new rate in the budget ordinance reflects the annual debt service on the new school projects and the balance of the budget is funded within the tax rate adopted in June, 07, He noted the ordinance also includes a resolution for enrollment in the state 401k program. Chairman Leatherman made a motion to adopt the FY 08/09 Budget Ordinance and 401k resolution as presented and commended the County Manager and County Finance Officer for their work on the budget. The motion was seconded by Commissioner Simpson and all favored. (Attachments #2 & #3)

Vehicle Policy - The Board received a proposed Macon County Vehicle Policy in May and upon motion by Commissioner Simpson, seconded by Commissioner Beale, the Board unanimously voted to adopt the policy as presented with a clarification of county vehicles being driven to out-of-county residences to be effective July 1, 2008. (Attachment #4.)

Offer to purchase - 51 Community Circle, Topton - An offer from Baldwin Realty Company on behalf of Frank Thomas to purchase .75 acres at 51 Community Circle, Topton, NC (former EMS base) at \$15,000 was presented. It was noted that Vinson Appraisal valued the property at \$72,500 in December, 2006. Upon motion by Chairman Leatherman, seconded by Commissioner Beale, the Board unanimously voted to refuse the offer.

Fire Code - Emergency Management Director Warren Cabe requested adoption of the 2006 Fire Code section of the North Carolina Building Code without the appendices in order to avoid conflict with the newly adopted County Subdivision Ordinance as discussed at a previous joint meeting of the Board of Commissioners and Planning Board. Commissioner McClellan made a motion to adopt the 2006 Fire Code section of the North Carolina Building Code without

the appendices as recommended. The motion was seconded by Commissioner Simpson and all favored.

CONSENT AGENDA: Commissioner Simpson made a motion to approve the consent agenda. The motion was seconded by Commissioner McClellan. During discussion Commissioner Simpson rescinded his motion and Commissioner McClellan rescinded his second. Budget revision #165, appropriation of \$95,472 QZAB funds to cover change orders to construction contract and other professional fess on the East Franklin renovation, was discussed at length after which Commissioner Simpson made a motion to hold approval of the revision pending further clarification and/or explanation. The motion was seconded by Commissioner McClellan and passed three to two with Chairman Leatherman and Commissioner Davis opposing. Upon motion by Commissioner Simpson, seconded by Commissioner McClellan, the remaining items on the consent agenda were approved as submitted: Minutes - Approved the minutes of the May 1st, May 12th, May 20th, 29th and 30th meetings.

Tax releases - Approved tax releases in the amount of \$324.40 as submitted. (Note: A computer printout of the releases is on file in the Tax Office and County Manager's Office.)

Finance approval - Approved financing \$20,000,000 School Projects with BB&T for 20 years at a fixed rate of 4.59% contingent upon approval by the Local Government Commissioner on July 1, 2008.

Budget revisions - Revision #164, allocation for Haywood Energy Assistance; revision #166, appropriating \$2,279 federal forfeiture funds in the Sheriff's Department; revision #167, appropriating \$906 controlled substance funds in the Sheriff's Department; revision #168, transfer \$8,316 to Soil and Water Clean Water Trust Fund to cover salary and fringe and revision #169, appropriating \$50,800 from general fund to capital project fund to cover up front costs associated with schools. (Note: revisions with corresponding numbers are attached.)

Release deed - Approved a release deed for the Marjorie Pate property under the CHAF Program to correct a deed error.

APPOINTMENTS: Child Fatality Prevention Team - Upon motion by Commissioner Simpson, seconded by Chairman Leatherman, the Board unanimously voted to accept the recommendation to appoint Virginia Cranfield to the Child Fatality Prevention Team representing parents of a child who died before the 18th birthday to fill the unexpired term of Dr. Jennifer Brown who has moved from the area. Term will expire July 31 2009.

Farmland Preservation Committee: Appointments to the Farmland Preservation Committee were delayed to the July meeting.

Health Board - Chairman Leatherman made a motion to reappoint Dr. Scott Petty (representing physicians), Dr. David Silverstein (representing dentists) and Russell Stevenson (representing engineers) to the Health Board with terms to expire June 30, 2011. The motion was seconded by commissioner McClellan and all favored.

Industrial Facilities and Pollution Control financing Authority (Bond Authority) - Upon motion by Commissioner Simpson, seconded by Commissioner Beale, the Board unanimously voted to reappoint Roger Plemens, Joe Collins, Nolan Smathers and Bobby Corbin to the Bond Authority and to appoint Stacy Guffey to fill the late Mike Morgan's position. Terms will expire June 28, 2011.

SCC Board of Trustless - Upon motion by Chairman Leatherman and seconded by Commissioner Beale, the Board unanimously voted to recommend Commissioner Simpson for reappointment to the SCC Board of Trustless for a term to expire

June 30, 2012.

OTTO FIRE DEPARTMENT - Commissioners McClellan and Davis reported they had attended the recent open house at Otto Fire Department and wanted to publicly commend the Department for the job they do and their hard work.

ADJOURNMENT: Upon motion by Commissioner Simpson, seconded by Commissioner Beale, the meeting was adjourned.

C. Jack Horton, County Manager
Clerk to the Board

Charles D. Leatherman
Board Chairman

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