

MACON COUNTY BOARD OF COMMISSIONERS
SEPTEMBER 18, 2008
CONTINUATION MEETING
MINUTES

Chairman Leatherman reconvened the meeting at 6 p.m. as recessed. All Board Members, the County Manager, Deputy Clerk, Finance Officer, County Attorney, Director of Planning, Permitting and Development, Health Director, members of the news media, and interested citizens were present.

REGION A MEETING: Chairman Leatherman announced the Region A Council of Government meeting would be held on September 22nd and would caucus to replace District Director Brian McMahan who was recently elected as Third Vice President of NCACC. Upon motion by Commissioner Beale, seconded by Commissioner Simpson, the Board unanimously voted to designate Commissioner Davis as the County's voting delegate at the meeting.

APPOINTMENTS: Economic Development Commission - On behalf of the EDC member Ed Shatley submitted the following names for addition to the EDC: David Hubbs, Drake Software; Johnny Mira-Knippel, Tektone; Connie Hair, SCC; Hank Ross, Town of Highlands and Joe Collins, Town of Franklin. Mr. Shatley explained the five members who are currently serving would complete their appointments and the representatives of the Chambers would be nominated at a future meeting. Upon motion by Commissioner Simpson, seconded by Commissioner Davis, the Board unanimously voted to approve the appointments as recommended contingent upon defining terms.

HIGHLANDS TDC: Commissioner McClellan made the following term recommendations for the Highlands TDC appointments made at the September 8th meeting: Jerry Moore, one year; Hank Ross, one year; Sabrina Hawkins, three years; Helene Seigel, two years; Wolfgang Green, two years; Gary Drake, one year; Bob Kieltyka, Ex Officio and Commissioner McClellan, the district commissioner. Upon motion by Commissioner Beale, seconded by Commissioner Simpson, the Board unanimously voted to accept the terms as recommended effective upon appointment.

Franklin/Nantahala TDC: Commissioner Simpson, the district commissioner representative for the Franklin/Nantahala TDC, presented the following recommendations for membership: Kristy Dodge representing the Franklin travel and tourism district at large for two years; Steve Rice, Franklin travel and tourism district at large for three years; Elizabeth Coulter, accommodations with ten or more units for three years; Ron Baker, Nantahala travel and tourism district at large for two years; Vince West, Nantahala travel and tourism district at large for three years; Mike Decker, Town of Franklin one year; John Norris, Chamber Board two years; Linda Harbuck, Chamber Director ex officio; Mike Gruberman, accommodations with ten or less units for one year and Commissioner Simpson as County Commission Representative. Commissioner Beale made a motion to approve appointments and terms as presented. The motion was seconded by Commissioner McClellan and all favored.

REQUEST FOR EXCEPTION TO FLOOD ORDINANCE BY OLD MILL CAMPGROUND: Chairman Leatherman reopened the public hearing on the request from Michael and Jessi Calafiore for an exception to the Flood Ordinance of Macon County located at Old Mill Campground on 441 South of Franklin.

The Health Department provided information on applications, authorization, and operation permit dates for installation of septic systems at the site. When asked for his comments on the issue, Jack Morgan, the Director of Planning, Permitting and Development, explained he felt the owners purchased the property in good faith, that they have been honest in their dealings with County departments but he had been placed in a position of having to perform his job which is to defend the enforcement of the Flood Ordinance. Mr. Morgan commented on the definition of existing RV parks, floodway and floodplain

restrictions, FEMA comments and the possibility of a surcharge being levied by FEMA on flood insurance policies when exceptions are granted. He added other requests for exceptions have been denied and he feels if granted this will set a precedent. Mr. Morgan recommended that the request for exception be denied. Jenny Sanders, Executive Director of the Little Tennessee Watershed Association, spoke and presented a letter for the record requesting that the Board uphold the Flood Ordinance restrictions on RV Park Development. Commissioner Beale read a letter from Bob Wright, Chairman of the Macon County Watershed Council, also advocating denial of the request for exception. The Chairman asked the County Attorney if it would be beneficial to wait one week and get an opinion from FEMA on possible action if the exception is granted. The County Attorney stated she had contacted FEMA but had not received a call back, perhaps due to the recent hurricanes. She added that the County can always ask FEMA, if it desires to wait for an opinion, but there is no guarantee as when that might be forthcoming. Commissioner Davis, after hearing all comments, stated because the project was started prior to the adoption of the amended ordinance, made a motion to grant the exception. The motion was seconded by Commissioner Simpson and failed two to three with Chairman Leatherman and Commissioners Beale and McClellan opposing. The Attorney advised she would prepare an order for the October meeting.

ANIMAL CONTROL ORDINANCE: A proposed Animal Control Ordinance was presented and the County Manager reported he would have an update and formal presentation on the facility at a future meeting. A continuation meeting was scheduled for September 29th to discuss the issue.

EAST FRANKLIN SCHOOL CHANGE ORDERS: Change orders for East Franklin School were presented for consideration in the amount of \$45,533. Commissioner Beale informed the Board he and Commissioner Davis had discussed the changes with the School Facility Committee and made a motion to approve the budget amendment for the change orders. The motion was seconded by Commissioner Davis and all favored. (Attachment #1)

RECESS: The meeting was recessed until 6 p.m. on September 29, 2008.

C. Jack Horton, County Manager
Clerk to the Board

Charles D. Leatherman
Board Chairman

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