

MACON COUNTY BOARD OF COMMISSIONERS
AUGUST 23, 2010 – 2 P.M.
MINUTES

CALL TO ORDER: Chairman Beale convened the meeting at 2:00 p.m. and welcomed everyone present. All Board Members, the County Manager, Deputy Clerk, Finance Director, Interim County Attorney, members of the news media and interested citizens were present.

ANNOUNCEMENTS: Chairman Beale reminded the Board of the invitation to the open house at the renovated Highlands Town Hall on September 2nd, of Anne Hyder's retirement reception on August 27th and that he, the County Manager and Commissioner McClellan would be attending the NCACC annual meeting later in the week.

INVOCATION: Chairman Beale gave the invocation.

PLEDGE OF ALLEGIANCE: The pledge to the flag was recited.

PUBLIC HEARING/MEETING: NCDOT SECONDARY ROADS - Chairman Beale recessed the regular meeting and convened a public hearing on the secondary roads program in Macon County. NCDOT Board Member Conrad Burrell, Engineers Joel Setser and Wesley Grindstaff and other DOT staff members present were introduced. Mr. Setser gave a review of the allocation for FY 2010/11 and Mr. Grindstaff explained the total allocation for secondary roads improvements is \$1,026,949.76 with \$125,000 for engineering, surveying and right-of-ways county wide, \$145,000 for improvements to Wells Grove Road, \$746,690 improvements to Rabbit Creek Road and \$10,260 for safety signage. He added \$400,000 was provided through HB 750 which will be used for improvements, paving, etc. to Gregory Road and is not part of the annual secondary roads allocation. Chairman Beale stated he had concerns about the condition of Buck Creek Road, better signage to the VA Clinic, emergency vehicle access at Walmart when EMS relocates, trucks on Highway 64 between Highlands and Franklin, drainage on 441 South and completion date on the Wells Grove project. Mr. Grindstaff stated some environmental work will be done on the Wells Grove project this winter and work will be done at the most beneficial time which will be next spring or summer. The floor was opened for public comment and the following individuals spoke: **Max Jones** and **Trudy Piper** expressed concerns about Coon Creek Road stating the drainage and erosion had become a safety issue. They explained the washouts were not repaired after the last grading. Mr. Setser stated the current practice doesn't seem sustainable and a long term solution needs to be looked at. Someone from DOT will check into the situation. **Heather Dunn** expressed concerns about preservation of the natural environment and the damage paving of Needmore Road would do. She advocated consideration of not paving road. **Tom Turrentine** stated Blue Valley Road was in such bad shape the school buses will not go down it, culverts are stopped up and the road is in very bad shape. **Arthur Paoletti** expressed concerns about Turtle Pond Road and asked that better maintenance be done on the unpaved section. **Narelle Kirkland** urged a sign, "right turn only after stop", be placed at the Harrison Avenue/Depot Street intersection, that the turn on Wayah

Street at the Chamber be looked at and urged officials to look at intersections rather than traffic circles which just cause traffic jams. **Wally Welch** stated he was a resident on Goshen Road and DOT is good to respond to calls but there are some steep places that two cars cannot pass and someone has to back up. He questioned what the possibilities of getting the road paved were. DOT officials were going to talk with Mr. Welch after the meeting. **Louise Henry**, Gregory Road resident, questioned what HB 750 is and stated the Gregory Road had dangerous gullies and in some places two cars couldn't pass. She added that a road could be paved without destroying the natural beauty and environment using Wayah Road as an example. **Adele Hopkins** stated all property owners, except one on the west side of Duck Mountain Road, have agreed to grant right-of-ways for paving and questioned if the road could be re-engineered in that section in order to get it paved. DOT will meet with Ms. Hopkins. There being no further comments the hearing was closed and the Board reconvened in regular session.

SECONDARY ROADS PROGRAM ALLOCATION: Commissioner Simpson made a motion to adopt a resolution approving the allocation of the secondary roads program as presented. (Attachment #1) The motion was seconded by Commissioner Kuppers and passed four to one. (Commissioner Davis was out of the room when the vote was taken.)

PUBLIC HEARING/PROPERTY ACQUISITION FOR USE BY BOARD OF EDUCATION: Chairman Beale opened the hearing as noticed and County Attorney Chester Jones explained the purpose of the hearing was to discuss and receive public comment on the acquisition of real property by the County for use by the Macon County Board of Education more specifically the Iotla School project. Mr. Jones presented a letter of formal request from the Macon County Board of Education requesting the county to acquire the parcel of real property that will be the site of Iotla Valley Elementary School per the legal description in the attached letter. (Attachment #2) No one wished to comment and the hearing was closed. The Board returned to regular session.

INTERLOCAL AGREEMENT WITH SCHOOLS: The County Attorney presented a Second Agreement to Amend the Interlocal Agreement Between the County of Macon and Macon County Board of Education Dated March 22, 2010 explaining this amendment will correct the legal description for the Iotla Elementary School Project and establish the property name for the school. Upon motion by Commissioner Kuppers, seconded by Commissioner Davis, the Board unanimously voted to approve the amended agreement as presented. (Attachment #3) The Attorney noted the item is on the Board of Education's agenda for approval at their meeting to be held later in the day.

PUBLIC COMMENT: **Vic Drummond** stated he had attended a meeting of the County Planning Board at Burningtown on the Steep Slope Development thinking the meeting was to hear public comments but only people who had not spoken at a previous meeting were allowed to speak. He added there was no open dialogue with the Planning Board and requested the Board to speak to the Planning Board about changing their meeting procedures.

ADDITIONS/ADJUSTMENTS TO THE AGENDA: Upon motion by Commissioner McClellan, seconded by Commissioner Simpson, the Board unanimously voted to approve the agenda with the following changes: added a resolution concerning the engineering services for a CHAFS Project as item #10F, added a resolution concerning financing of the Iotla Elementary School Project as item #10G and added health insurance work session as item #10H.

SCC MODULAR UNITS: Curtis Dowdle, Southwestern Community College Director of Public Safety Training Center, presented a request for funding to relocate four modular units to the SCC Jerry Sutton Public Safety Training Center. Mr. Curtis explained the units were declared surplus by the Macon County Board of Education and reallocated to SCC for use at the training center. He stated he had cost estimates of around \$17,500 to relocate the units including permits. He explained maintenance would be the responsibility of SCC. Upon motion by Commissioner Simpson, seconded by Commissioner McClellan, the Board unanimously voted to fund the request from Contingency at an amount not to exceed \$17,500. The County Attorney noted restrictions on the deed should be checked prior to the relocation.

SCHOOL CONSTRUCTION PROJECTS (IOTLA AND NANTAHALA): **Iotla School** - Terry Bell, School Construction Liaison, reported the fuel tanks at Iotla School need to be removed and the soil tested before construction can begin. He stated he had received an estimate of \$3,455 to remove the tank and test the soil. If there is no soil contamination there will be no additional cost. Upon motion by Commissioner McClellan, seconded by Commissioner Davis, the Board unanimously voted to authorize removal of the tank and soil testing. **Nantahala School** – Mr. Bell reported there is \$100,600 in the Nantahala Project contingency and requested allocation of \$12,000 for classroom shelving and storage and \$4900 for stripping of the gym floor and painting of the mascot and school name on the floor. Commissioner Davis made a motion to approve the requests as presented pending approval by the Board of Education. The motion was seconded by Commissioner Koppers and all favored. Mr. Bell also reported a problem with an air conditioning duct in the gym and the need to cover it to prevent any possible water damage to the floor. After discussion it was agreed Mr. Bell would consult with the architect to determine what the specs called for and, if necessary, Mr. Simpson would go with Mr. Bell and the architect to look at the situation before any action was recommended.

NOTE: At this point Commissioner Davis was excused for the remainder of the meeting.

REVIEW OFFICERS: It was reported Josh Pope recently resigned from employment with Macon County and it would be necessary to adopt a resolution removing him as a designated review officer for the County. Upon motion by Commissioner Simpson, seconded by Commissioner Koppers, a resolution removing Mr. Pope as a review officer was unanimously adopted per **attachment #4.**

LEGISLATIVE GOALS: The schedule for submission of legislative goals was discussed. Chairman Beale stated two of his concerns are the tier ratings and permanency of lottery funds. No action was necessary.

CHAFS ENGINEERING RESOLUTION: The County Attorney explained Marjorie Pate obtained a mobile home as part of the CHAFS program after Hurricane Ivan and during setting up the home a retaining wall was damaged but never repaired. CHAF representatives have advised the County the wall needs to be repaired and a design will need to be engineered. In order to expedite the process, upon motion by Commissioner Simpson, seconded by Commissioner McClellan, the Board unanimously voted to adopt the attached resolution exempting engineering design project from the provisions of North Carolina General Statutes Section 143-64.31 per **attachment #5**.

IOTLA VALLEY ELEMENTARY SCHOOL FINANCING AND CONSTRUCTION RESOLUTION: A resolution authorizing the execution and delivery of a financing agreement and deed of trust and related documents in connection with an installment financing for the acquisition, construction and equipping of a new elementary school was presented for consideration. Attorney Jones advised the resolution is in connection with the Iotla Valley Elementary School project and should be ratified with authorization for closing of the related transaction in accordance with the document. Upon motion by Commissioner Koppers, seconded by Commissioner Simpson, the Board unanimously voted to adopt the resolution as presented and authorize closing in accordance thereof. **(Attachment #6)**

HEALTH INSURANCE WORK SESSION: After discussion concerning updated projections on the county's actuarial valuation of health care liability, end of year numbers on the health insurance fund and impact of health reform legislation, Chairman Beale suggested the possibility of scheduling a health insurance work session the week of September 20th. No action was taken.

APPRECIATION: Chairman Beale read thank you notes from Bobbie Soleau whose father died recently, from Barbara Jacobs who recently retired and from William Tarpani for support of the VA Clinic.

CONSENT AGENDA: Upon motion by Commissioner McClellan, seconded by Commissioner Koppers, the following items on the consent agenda were unanimously approved: **Minutes** – Approved the minutes of the August 9th meeting changing the second sentence under “Solid Waste/Scales Change Order” to read *....the scales could not be installed without further excavation to stabilize subgrade...* **Budget revision** – Approved budget revision #24 appropriating \$47,867 Weatherization Grant. **(Attachment #7)** **National Preparedness Month** – Proclaimed the month of September, 2010, as National Preparedness Month per **attachment #8**. **Tax Settlement Report** – Accepted the tax settlement report of FY 2009/2010 in the amount of \$23,626,067.25 for general taxes and \$724,116.41 motor vehicle tax per **attachments #9 and #10**. **Tax Releases** – Approved tax releases in the amount of \$11,137.08 as submitted. **Tax Insolvents** – Approved a request from the Tax Collector that certain property taxes levied for the tax

years 2000, 2001 and 2002 be declared insolvent per **attachment #11**. (Note: A print-out of tax releases and insolvent taxes is on file in the Tax Department and the County Manager's Office.)

APPOINTMENTS: An appointment to the Nursing/Adult Care Home community Advisory Committee was delayed.

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

Jack Horton, County Manager
Clerk to the Board

Ronnie Beale
Board Chairman