

MACON COUNTY BOARD OF COMMISSIONERS
HIGHLANDS CONFERENCE CENTER
AUGUST 4, 2003
MINTUES

Chairman West called the meeting to order at 6 p.m. at the Highlands Conference Center as noticed. All Board Members, the County Manager, County Attorney, Deputy Clerk, County Finance Officer, members of the news media and interested citizens were present. Rev. Kim Ingram from Highlands First Methodist Church gave the invocation.

CDBG: Public Hearing - The regular meeting was recessed to convene the first of two public hearings for obtaining a 2004 CDBG scattered site rehabilitation grant. MPP Housing Director Rick Norton explained the project and the floor was opened for public comments. Narelle Kirkland stated land is running out and needs to be preserved by not continuing to build, build, build. Ms. Kirkland suggested to Highlands officials that they obtain a dozen to twenty houses that could be used as vacation or weekly rentals which would still allow visitors while preserving the land. Ms. Kirkland also voiced concerns that the airport runway should not be extended. Being no further comments the hearing was adjourned and the meeting returned to regular session. Funding - Mr. Norton explained the County has provided a \$20,000 match for the two previous CDBG grants and that due to a reduction of funds in other grants that supported the program, additional funding is needed. Mr. Norton requested allocation of \$30,000 in matching funds toward the grant explaining that no funds would be required in the current fiscal year but could be spread out over the next three fiscal years. It was noted the \$30,000 would be used for administration of the grant program. Upon a motion by Commissioner Bryson and seconded by Commissioner Leatherman the Board unanimously voted to allocate the \$30,000 as requested.

MINUTES: Upon a motion by Commissioner Leatherman and seconded by Commissioner Shepherd the Board unanimously approved the minutes from the July 7th meeting as submitted.

PUBLIC SESSION: No one wished to speak during public session.

SHERIFF'S DEPARTMENT: Defensive Driving - SCC Instructor Curtis Dowdle presented Commissioner Leatherman with a certification for recently completing the emergency/law enforcement defensive driving course. Commissioner Leatherman stated it was an honor, difficult and fun, commending officers for their participation. Commissioner Leatherman stated the course was taught at the Industrial Park location and expressed the hope that the Board can look at storage, paving and shelter for the facility in the near future. Sheriff Robbie Holland and Deputies Tim Fish and Tim Holland demonstrated a new taser gun that will be used for security purposes and enhance officer safety. Sheriff Holland reported the department will have the guns in the courthouse, the detention center and four assigned to road deputies that will be used by each shift.

AIRPORT HAZARD ORDINANCE: Commissioner Bryson made a motion to table discussion and/or action on the proposed Airport Hazard Ordinance pending further information. The motion was seconded by Commissioner Simpson and all favored.

APPOINTMENTS: Airport Authority - Commissioner Bryson asked the County Attorney for an explanation why two members whose terms had expired on the Airport Authority were allowed to vote on their replacements. The attorney stated he had given the legal opinion based on general statutes and the information provided him. The legal residency of Dan Rogers, whose term on the Authority expired July 1, 2003, was also questioned since he transferred his voter registration to another county. After further discussion the County Attorney gave the opinion that the Authority members whose terms have expired but not been replaced are eligible to participate and deliberate but only the three remaining members are eligible to vote on issues including member replacement on the Authority. Based on this information Commissioner Bryson made a motion to return the list of recommendations to fill the two vacant positions on the Airport Authority to the Authority for another vote and/or recommendation. The motion was seconded by Commissioner Shepherd and all favored. It was noted the Airport Authority is planning a "fly-in" at the airport in October and needs a full board in order to proceed with plans, etc. The Board agreed to a continuation to Monday, August 25th at 6 p.m. in order to consider Authority appointments.

APPOINTMENTS: Health Board - Upon a motion by Commissioner Bryson and seconded by Commissioner Leatherman the Board unanimously voted to appoint Dr. Scott Petty to fill the unexpired term of Dr. Peter Reitt on the Health Board representing physicians. Term will expire June 30, 2005. Franklin Recreation Commission - Commissioner Simpson, liaison to the Franklin Recreation Commission, stated several Franklin Recreation Commission members have recently resigned and the Board of Commissioners needs to set an agenda and develop a master plan for recreational needs in the county. Commissioner Simpson made a motion to appoint Matt Bullis to fill the unexpired term of Tracie Shepherd on the Recreation Commission and Gene Young to fill the term of Tim Fish. The motion was seconded by Commissioner Bryson and all favored. Mr. Bullis' term will expire February 2, 2005 and Mr. Young's, February 28, 2006. Criminal Justice Partnership Commission (CJPC) - Upon a motion by Commissioner Shepherd and seconded by Commissioner Simpson the Board unanimously voted to accept the recommendation to appoint the following to the CJPC: one commissioner (Leatherman), County Manager, District Attorney or designee, criminal defense attorney (Rob Hensley), Sheriff or designee, former CJPC Director, (Teresa McDowell), Community Service Coordinator (Annette Burch), Probation Officer (Randy Pendergrass), public health/substance abuse (Mike Neidig), Chief of Police (Terry Bradley), member of business community (Fred Alexander), victim of crime (to be named), public service (Paul Biery), members at large (Tara Doster and Mathel Shindelman), Superior and District Court Judges and Juvenile Court Counselor (Lindsey Gentry). All terms will expire August 31, 2004.. Child Fatality Team - Commissioner Bryson made a motion to accept the recommendation to reappoint Law Enforcement Representative (Robbie Holland), Emergency Services Provider (Warren Cabe), parent of child who died prior to 18th birthday (Jennifer Brown), Intake Counselor (Chuck Mallonee), Director Kidds Place (Alisha Ashe). The motion was seconded by Commissioner Leatherman and all favored. Terms will expire July 31, 2006.

WATER/SEWER PROJECTS: Highlands/Cashiers Hospital - Commissioner Bryson reported the waterline project for the Highlands/Cashiers Hospital is ready for endorsement on the County's part and made a motion that the County endorse the final project concept for the waterline and commit funding not to exceed \$101,000. Commissioner Bryson noted the \$101,000 was based on engineering estimates and actual County funding will be determined after bids are received. The motion was seconded by Commissioner Simpson and all favored. Cartoogechaye sewer line project- County Manager Sam Greenwood presented information on relocation of a portion of the Cartoogechaye sewer line explaining that to run the line through Zickgraf/Nantahala's property would be too expensive plus risky. He explained the new line will run along the Greenway and will add a pump station to the project pending approval by DENR and the Army Corps of Engineers. Upon a motion by Commissioner Leatherman and seconded by Commissioner Shepherd the Board unanimously voted to approve the relocation pending necessary approvals.

GREENWAY PHASE II: Upon a motion by Commissioner Leatherman and seconded by Commissioner Simpson the Board unanimously voted to accept a \$217,467 Parks and Recreation Trust Fund (PARTF) grant for Phase II of the Little Tennessee River Greenway Project and authorized the Chairman and County Manager to execute the necessary grant documents. It was noted appropriation of funds for the grant and matching funds would be handled later in the meeting as a budget revision.

PERSONNEL POLICY: Upon motion by Commissioner Bryson and seconded by Commissioner Shepherd the Board unanimously voted to amend Article X, Sections 4, 5, and 6, Grievance Procedures, of the County Personnel Policy per attachment #1.

NCACC VOTING DELEGATE: Commissioner Shepherd made a motion to designate Chairman West as the voting delegate at the annual meeting of the North Carolina Association of County Commissioners to be held in Guilford County. The motion was seconded by Commissioner Simpson and all favored.

TAX DEPARTMENT: Releases - Upon a motion by Commissioner Leatherman and seconded by Commissioner Simpson the Board unanimously voted to approve tax releases in the amount of \$37,455.76 as submitted. (A computer printout of releases is on file in the Tax Department and the County Manager's Office.) Tax settlement report - The Board received and reviewed the settlement report on 2002 taxes per attachment #2.

FINANCE: Capital Project Ordinance (Greenway) - Commissioner Shepherd made a motion to adopt the attached Capital Project Ordinance for Phase II of the Little Tennessee River Greenway. (Attachment #3) The motion was seconded by Commissioner Simpson and all favored. Budget revisions - The following budget revisions were unanimously approved: revision #222, upon motion by Commissioner Bryson and seconded by Commissioner Leatherman, aligning various budgets to final expenditures; revision #4, upon motion by Commissioner Shepherd and seconded by Commissioner Simpson, budgeting \$1,589 requested by SWNCPEDC; revision #5, upon motion by Commissioner Bryson and seconded by Commissioner Leatherman, appropriating \$3,896 fund balance from prior year for the Fire Safety House; revision #6, upon motion by Commissioner Shepherd and seconded by Commissioner Leatherman, appropriating \$3,000 increase in Bioterrorism funds; revision #7, upon motion by Commissioner Bryson and seconded by Commissioner Simpson, increasing DSS Crisis Intervention funding by \$12,098; revision #8, upon motion by Commissioner Leatherman and seconded by Commissioner Simpson, aligning JCPC grant by \$1,978; revision #9, upon motion by Commissioner Shepherd and seconded by Commissioner Simpson, budgeting \$2,305 insurance claim for Franklin Recreation Park; revision #10, upon motion by Commissioner Leatherman and seconded by Commissioner Bryson, aligning Sheriff's budget for BJA Bulletproof Vest Grant; revision #11, upon motion by Commissioner Shepherd and seconded by Commissioner Simpson, appropriating PARTF Grant and additional revenues for Phase II of the Greenway project and revision #12, upon motion by Commissioner Bryson and seconded by Commissioner Leatherman appropriating \$2,500 additional funds in the Courthouse Renovation Capital Project for architectural fees. (Note: revisions with corresponding numbers are attached.)

CABLEVISION FRANCHISE: The County Attorney reported after about two years the new franchise agreement with Northland Cable for the Highlands area was ready for approval and asked for approval of the first reading. Upon motion by Commissioner Simpson and seconded by Commissioner Leatherman the Board unanimously approved the first reading of the franchise agreement with Northland Cablevision, Inc. for the Highlands service area. The second reading will be held at the September meeting.

SCC/APAC-TENNESSEE, INC - MACON COUNTY: The County Attorney reported a settlement agreement and release between the Trustees of Southwestern Community College, APAC-Tennessee and Macon County concerning fill of the SCC driving range has been reached and requested a motion to approve the agreement and authorize the Chairman and County Manager to execute settlement documents. Upon a motion by Commissioner Bryson and seconded by Commissioners Shepherd the Board unanimously voted to approve the agreement per attachment #5 and authorize the Chairman and County Manager to execute the necessary documents.

CLOSED SESSION: Upon a motion by Commissioner Bryson and seconded by Commissioner Shepherd the Board unanimously voted to go into closed session to discuss personnel. During closed session personnel was discussed with no action being taken. Upon a motion by Commissioner Bryson and seconded by Commissioner Simpson the Board voted to go back into regular session.

BOARD OF ELECTIONS PERSONNEL: Commissioner Simpson made a motion to deny a request from the Board of Election to restore the Deputy Director's position to full-time status with the understanding additional part-time help can be used from budgeted funds around elections and other busy times. The motion was seconded by Commissioner Bryson and all favored.

RECESS: Upon a motion by Commissioner Simpson and seconded by Commissioner Bryson the Board unanimously voted to recess until 6 p.m. on Monday, August 25, 2003, in the Commissioners' Board Room at the Courthouse.

Sam K. Greenwood, County Manager
Ex Officio Clerk to the Board

Mark B. West
Board Chairman

Minutes
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