

MACON COUNTY BOARD OF COMMISSIONERS
AUGUST 9, 2010 – 6 P.M.
MINUTES

CALL TO ORDER: Chairman Beale convened the meeting at 6 p.m. and welcomed everyone present. All Board Members, with the exception of Commissioner Davis who was out of town, were present. Also present were the County Manager, Deputy Clerk, Interim County Attorney, members of the news media and interested citizens.

ANNOUNCEMENTS: Chairman Beale reminded the Board of the annual dinner meeting of the Southwestern Commission on August 16th at 5:30 p.m. in Cherokee and that representatives would be attending the NCACC annual conference in Greenville. He suggested that members be thinking about any legislative goals they want to submit.

INVOCATION: Chairman Beale gave the invocation.

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

PUBLIC HEARINGS: Iotla Valley Elementary School – Chairman Beale convened the public hearing, as noticed, on the proposed Agreement and the proposed acquisition of the site for the Iotla Valley Elementary School Project. The County Attorney explained the County has determined to consider whether to enter into one or more installment financing agreements (collectively, the “Agreement”) under Section 160A-20 of the General Statutes of North Carolina for the purpose of paying the costs of acquiring, constructing and equipping a new elementary school in the County to be known as Iotla Valley Elementary School (the “Project”). He added that the County would be obligated to pay debt service or installment payments under the Agreement in an aggregate principal amount not to exceed \$14,500,000, together with interest thereon and if the County enters into the Agreement, it will secure its obligations thereunder by executing and delivering a deed of trust granting a lien on the site of the Project, together with all improvements and fixtures located or to be located thereon. He further explained that in connection with the proposed plan of finance, the site of the Project would be acquired by the County and leased to the Macon County Board of Education to be used for school purposes, which lease would be subordinate to the lien created by the deed of trust. No one from the public wished to comment and the hearing was closed. **Resolutions** – Upon motion by Commissioner Koppers, seconded by Commissioner Simpson, the Board unanimously voted to adopt a Resolution Accepting the Proposal of Branch Banking and Trust Company in Connection with an Installment Financing for the Acquisition, Construction and Equipping of a New Elementary School per **attachment #1**. Upon motion by Commissioner Simpson, seconded by Commissioner McClellan, the Board unanimously voted to adopt a Resolution Supplementing and Amending the Resolution Making Certain Findings and Determinations Regarding the Proposed Financing of the Acquisition, Construction and Equipping of a New Elementary School for the County Pursuant to an Installment Financing Agreement and Requesting the Local Government Commissioner to Approve the Financing Arrangement per **attachment #2**. **Transit/Rural Operating Assistance Program (ROAP)** – Chairman Beale convened

the public hearing on Macon County's proposed ROAP application in the amount of \$161,321 as noticed. Transit Director Kim Angel explained the application noting that only the RGP portion required a local match which would be recouped through fares charged. No one wished to speak and the hearing was closed. **ROAP Certification** – Upon motion by Commissioner Simpson, seconded by Commissioner Koppers, the Board unanimously voted to adopt the ROAP Certified Statement for FY 2011 per **attachment #3**.

PUBLIC COMMENTS: **John Cantrell** stated he lived in the area near Macon Middle School and expressed concerns about the proposed site for the Super Walmart particularly the close proximity to both the Mountain View Intermediate and Macon Middle Schools. He stated he had attended the public hearing at the Town on the matter but was only allowed to address specific issues not safety concerns. He stated the door-to-door distance from the Intermediate School to the new Walmart is 1,800 feet and from the Middle School 2,400 feet which caused him concern about safety and security of the students. Mr. Cantrell suggested before final approval of the site the following concerns should be addressed: (1) construction of a wider than normal concrete sidewalk along Wells Grove and Dowdle Mountain Roads, (2) construction of a means for students from Macon Middle School to cross Clarks Chapel Road safely, (3) require installation of surveillance cameras in the Walmart parking lot, (4) request police to patrol the areas especially just after school hours until 5 p.m., (5) construction of a solid retaining wall along Wells Grove and Dowdle Mountain Roads between the sidewalk and retention pond and (6) because of the heavily wooded area in the back of the proposed site also require surveillance cameras in the back of the store. He stated it was his opinion that of these items numbers 1, 3, 5, and 6 should be at the cost of the developer and not the taxpayers of Macon County. Mr. Cantrell added he was not opposed to a Super Walmart coming which would create more jobs but was opposed to the proposed location due to safety concerns as noted.

ADDITIONS/ADJUSTMENTS TO THE AGENDA: Upon motion by Commissioner McClellan, seconded by Commissioner Koppers, the Board unanimously voted to approve the agenda with the item #10B, scheduling an insurance work session, being delayed until all members were present and could review their schedules.

PRESENTATION: **Barbara McRae** was presented a framed resolution adopted by the Board at their June 14th meeting commending Ms. McRae for her exceptional contribution to the citizens of Macon County and in appreciation of her efforts to preserve the heritage of the County and designating her as an "Honorary Historian of Macon County".

UPDATES: **USFS/Highlands Rangers Station:** Chairman Beale read into the record a letter from Mike Wilkins, Nantahala District Ranger, announcing the Nantahala Ranger District will auction, by sealed bids, the now vacant Highlands Rangers District Office on December 1, 2010 at 11 a.m. at the Nantahala Ranger District, 90 Sloan Road, Franklin. **Holly Springs** – County Manager Horton reported he and Commissioner Simpson had met with representatives of the Holly Springs Community and a restoration specialist is

coming to evaluate the building with instructions on renovations, etc. and after that a cost figure can be calculated.

SOLID WASTE/SCALES CHANGE ORDER: Solid Waste Director Chris Stahl reported that when digging footers for the scales at the landfill they could not get the soil to meet compaction and found an old concrete slab with debris under it from one of the old barns that was previously on the site. He stated the scales could not be installed without further excavation to stabilize subgrade and installation of stone to meet compaction standards. Mr. Stahl explained the cost of the change order is \$18,878.01 and there are funds in the project to cover the cost without additional funding. Upon motion by Commissioner Kuppers, seconded by Commissioner McClellan, the Board unanimously voted to approve the change order as requested.

CONSENT AGENDA: Upon motion by Commissioner Simpson, seconded by Commissioner McClellan, the Board unanimously voted to approve the following items on the consent agenda: **Minutes** – Approved the minutes of the July 13th and 15th meetings as submitted. **Budget Revisions** – approved budget revision #224, transferring \$26,438 from the E-911 fund to General Fund; revision #225, appropriating \$375 for the Community Garden Project; revision #16, appropriating Federal and State forfeiture funds for FY 2010/11 in the Sheriff’s Department; revision #17, carrying forward \$8,950 firing range appropriation in the Sheriff’s Department; revision #18, appropriating \$3,666 in the Sheriff’s Department for bulletproof vest; revision #19, carrying forward \$33,654 unspent balance for Macon Middle School air conditioning project; revision #20, transition Home Aide position to Community Resource Center in DSS budget; revision #21, transfer \$91,702 fund balance in DSS; revision #22, appropriate \$55,000 fund balance in Transit for scheduling software contract and revision #23, appropriation of \$130,400 CHAF funds. (Note: revisions with corresponding numbers attached.) **Tax refund** – Approved a tax refund request to Paul Thomas Potts in the amount of \$623.04 for years 2005-2009 for duplicate tax bills. **Surplus property** – Declared a Fisher Scientific Isotemp Laboratory Refrigerator located at the Health Department as surplus and authorizing transfer to CareNet with the understanding it will be used for public purposes. It was noted the refrigerator is several years old, has been repaired multiple times and a replacement was recently purchased using specifically designated state funds.

APPOINTMENTS: Health Board – Upon motion by Commissioner McClellan, seconded by Commissioner Kuppers, the Board unanimously voted to accept the resignation of Dr. Scott Petty who represents physicians on the Health Board and appoint Dr. David Farley to fill the unexpired term. Term will expire June 30, 2011.

ADJOURNMENT – Upon motion by Commissioner Kuppers the meeting was adjourned.

Jack Horton, County Manager
Clerk to the Board

Ronnie Beale
Board Chairman

