

MACON COUNTY BOARD OF COMMISSIONERS
DECEMBER 13, 2010 – 6 P.M.
MINUTES

CALL TO ORDER: Chairman McClellan convened the meeting at 6:00 p.m. and welcomed everyone present. All Board Members with the exception of Commissioner Beale who was at a meeting in Raleigh were present. Also present were the County Manager, Deputy Clerk, Finance Officer, County Attorney, members of the news media and interested citizens.

ANNOUNCEMENTS: Chairman McClellan announced there would be no meeting on December 27th due to Christmas holidays, that Board Members had recently attended the School of Government training, that Commissioner Davis had been in Raleigh preparing for his senate term and Commissioner Beale was at a committee meeting in Raleigh.

INVOCATION: Commissioner Kupperts gave the invocation.

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

PUBLIC COMMENT: **Albert Werick** distributed copies of the county's Telecommunications Towers Ordinance and reiterated his opposition to location of the proposed Viper Tower on property near the Welcome Center. He requested the Board to rethink the decision and to hold a public hearing. The County Manager agreed to meet with Mr. Werick to address some of his concerns.

ADDITIONS/ADJUSTMENTS TO THE AGENDA: The County Attorney requested a conflict of interest issue be added to the agenda as item #10D and Chairman McClellan requested board assignments be added as item #12 A. Commissioner Kupperts made a motion to approve the agenda with the two additions. The motion was seconded by Commissioner Davis and all favored.

PLANNING BOARD ORDINANCE: County Attorney Jones reported, as requested, that he had been working on a draft to increase the Planning Board from eleven to thirteen members; Commissioner Kupperts reported the Planning Board has requested that the membership not be expanded. He explained that some terms will soon be expiring and those members have expressed that they do not wish to be reappointed which will open up slots for new appointees. The general consensus of the board was to not pursue expansion of the Planning board but to instruct the Attorney to pursue the methodology for removal of members that are determined to be detrimental to the mission of the Planning Board.

ADOPTION OF MEETING SCHEDULE: Upon motion by Commissioner Kupperts, seconded by Commissioner Haven, the Board unanimously voted to adopt a resolution establishing a new schedule of regular meetings of the Board which will be on the second Tuesday of each month at 6 p.m. (Attachment #1)

COMMISSIONER DAVIS' RESIGNATION AND REPLACEMENT: It was noted Commissioner Davis originally submitted his resignation from the Board to be effective January 10, 2011, and the board accepted his resignation effective that date. However, his Senate term begins January 1, 2011, and Commissioner Davis submitted a letter of resignation to be effective December 31, 2010. Upon motion by Commissioner Haven, seconded by Commissioner Kuppers, the Board unanimously voted to accept Commissioner Davis' resignation to be effective December 31, 2010. **REPLACEMENT** – Upon motion by Commissioner Kuppers, seconded by Commissioner Haven, the board unanimously voted to accept the recommendation of the Macon County Republican Party to appoint Kevin Corbin to replace Commissioner Davis on the Board of Commissioners.

CONFLICT OF INTEREST: The County Attorney reported there is a potential conflict of interest in that the Sheriff's Office is leasing office space in a building owned by Kevin Corbin who will replace Commissioner Davis on the Board. Attorney Jones recommended the County Manager be allowed to terminate the lease and take appropriate action under North Carolina General Statute 14-234 to modify the lease. Upon motion by Commissioner Davis, seconded by Commissioner Kuppers, the Board unanimously voted to authorize the County Manager to terminate, amend and/or modify the lease as necessary.

CODE OF ETHICS: Pursuant to North Carolina General Statute 160A-86, which requires the adoption of a Code of Ethics prior to January 1, 2011, a draft Code of Ethics for the Macon County Board of Commissioners was presented. Upon motion by Commissioner Kuppers, seconded by Commissioner Haven, the Board unanimously voted to adopt the document as presented with a couple of typographical corrections. (Attachment #2) It was also noted that the statute requires all Board Members attend ethics training which all members, including Mr. Corbin, have attended.

CONSENT AGENDA: The following items on the consent agenda were unanimously approved upon motion by Commissioner Davis, seconded by Commissioner Haven: **Minutes** - approved the minutes of the November 22nd, December 2nd and 6th meetings. **Budget revision** – approved budget revision #63, appropriating \$500 for DSS Foster Children Christmas fund. (Attachment #3) **December 27th meeting** – Cancelled the December 27th meeting.

COMMITTEES: Health Board – Upon motion by Commissioner Kuppers, seconded by Commissioner Davis, the Board unanimously voted to accept the recommendation to reappoint Dr. Roy Lenzo to the Health Board representing veterinarians. Term will expire January 1, 2014. **Board Assignments:** Chairman McClellan distributed a list of board assignments noting if the assignments did not work out changes can be made. He also noted that Commissioner Kuppers was working on a new schedule for community meetings.

ADJOURNMENT: Upon motion by Commissioner Davis, seconded by Commissioner Kuppers, the meeting was adjourned.

Jack Horton, County Manager
Clerk to the Board

Brian McClellan
Board Chairman