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Time Posted: _____
Posted By: Evelyn Baker
Witnessed By: _____

**MINUTES OF A
REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
AUGUST 15, 2011**

The Jackson County Board of Commissioners met in a Regular Session on August 15, 2011, 6:00 pm, Canada Community Bldg., 149 Charley's Creek Road, Tuckaseegee, North Carolina.

Present: Jack Debnam, Chairman	Chuck Wooten, County Manager
Doug Cody, Vice Chair	J. K. Coward, County Attorney
Charles Elders, Commissioner	Evelyn Baker, Clerk to Board
Mark Jones, Commissioner	
Joe Cowan, Commissioner	

Chairman Debnam called the meeting to order.

AGENDA: Commissioner Elders moved to approve the Agenda. Commissioner Jones seconded the Motion. Motion carried.

MINUTES: Commissioner Elders moved to approve the Minutes of the Regular Meeting and Work Session of August 1, 2011. Commissioner Cody seconded the Motion. Motion carried.

(1) CHAIRMAN'S REPORT: Chairman Debnam stated that because of the Labor Day holiday, the first meeting in September will be held on Tuesday, September 6.

(2) COUNTY MANAGER REPORT: Mr. Wooten reported:

(a) **Criminal Justice Partnership Program (CJPP):** CJPP is a grant funded program of the court system. This program currently serves Jackson and Swain County and is totally funded by a state grant. The county has been notified that future awards will be based upon a competitive bid process which could result in some changes as compared to the current structure. Jackson County will submit a proposal to continue the program to serve Jackson and Swain counties; however, an agency could submit a regional proposal which might introduce further consolidation.

(b) **CPR Classes for County Departments:** With the addition of AEDs in county facilities, CPR classes will be conducted with the hopes of having someone from each department certified in CPR and utilization of the AEDs.

(c) **Meth Labs:** The Sheriff's Department discovered another meth lab this past week and is the second lab requiring clean up expenses. The invoices are just over \$3,000.

(d) **2011 Tax Bills:** The 2011 bills were placed in the mail as of Thursday, August 11th. The 2011 tax bills total \$32,430,150.73 which is \$59,596.85 more than the 2010 bills even though the tax rate remains the same. This amount will increase once all discoveries have been recorded and billed.

(e) **State Energy Office**: He visited with an energy engineer to discuss opportunities for identifying ways to reduce the county's utility bills. Discussions occurred last year about the possibility of creating a partnership with the public schools, SCC and Jackson County to conduct energy audits on all buildings to identify opportunities for energy savings/efficiencies. Individually, the county may be too small to make some of these efforts work; but, collectively would have a better opportunity.

(f) **Public Works Director**: The position was established in the FY 11-12 budget. A job description was developed and the position was advertised. To date, 19 applications have been submitted. A committee has been formed to assist in the review and interview of qualified candidates. The goal is to complete this process by the first of September and to identify the top candidate for the position.

(g) **Mark Watson Drainage Project**: The contractor has discovered poor soil conditions in a couple of locations. Under normal circumstances, the bad soil would be removed and replaced with good soil. Unfortunately, the water table is so high in this area that some type of landscape fabric will probably be required to stabilize the sites.

(h) **Cashiers Recreation Center**: There has been substantial interest in the pre-qualification process for this project. Presently, 17 general contractors have requested the pre-qualification materials. A review of the pre-qualification applications will take place over the next week and notification to the applicants should be made by the end of the month if they meet the threshold for pre-qualification. The designer also hopes to schedule a meeting with the Department of Insurance later this month to seek approval on plans from a life safety standpoint so the project can be advertised for bids in September.

(i) **Cashiers Recreation Site Project**: Some progress continues to be made on this project; however, it is doubtful that everything will be completed to allow acceptance of the project by August 31st because some equipment has not been delivered.

(j) **Library Complex**: Work continues on the few remaining items mostly related to HVAC and lighting systems. A representative with DENR expressed some concern about the slope on the Savannah drive side of the building as there appears to be some erosion. The general contractor is working to correct the problems and stabilize the slope.

(k) **Transit Dept**: The Transit Dept. has received a 20% reduction in funds for one of its grants in the amount of \$31,200. There are only two options available: increasing county support to offset the reduction or a reduction in services. The Transportation Advisory Board would like to meet with the Commissioners to discuss this budget shortfall.

(l) **Work Session following first meeting in September**: He requested that a work session be scheduled following the first regular meeting in September to receive a report from the Tax Administrator on the 2013 revaluation project and to discuss the Transit Dept. budget

(m) **Ambulance Contracts**: The county attorney is revising the proposed contracts which should be available for Board consideration next month.

(3) COMMISSIONER COMMENTS:

(a) **Public Works Director**: Commissioner Cowan volunteered to serve on the selection committee. Commissioner Elders requested that a couple of Commissioners should review the applications.

(b) **Meth Labs**: Commissioner Elders asked if there was any way the county could request restitution to help offset the costs. Attorney Coward stated the majority of defendants are indigent, but he will discuss the issue with the Sheriff and ascertain the feasibility of using seized assets to offset meth lab clean up costs.

(c) **Library:** Commissioner Cowan stated he opposed the location of the new library from the beginning for three reasons: (1) Not enough property at the courthouse for expansion. The architect who designed the facility was originally asked to evaluate the courthouse site and he reported to the Commissioners that he would not recommend that site. In the meantime, three new Commissioners were elected who called the architect back and told him to make the design fit the courthouse site which was done. (2) There is totally inadequate parking. The two upper parking lots are so steep that the elderly and handicapped are unable to use them. (3) The slope is inadequate to handle erosion.

(4) **CONSENT AGENDA:** Darlene Fox, Finance Director, presented the Finance and Tax Collector's reports for July 2011, five budget amendments, and 2010 Tax Settlement reports.

***Motion:** Commissioner Jones moved to approve the Consent Agenda.*

Commissioner Elders seconded the Motion. Motion carried by unanimous vote.

(5) **CANEY FORK STORM DAMAGE:** By letter dated August 11, 2011, the Natural Resources Conservation Service (NCRS) denied the request to declare a local emergency so the county could request Emergency Watershed Protection funding. NCRS staff concluded that even though there are felled trees in the stream, many are still attached to the bank and the threat of damage may be relieved by cutting tree tops and lifting them out of the channel for disposal leaving the trunks attached to the bank to anchor the soil. . This action would appear to be the responsibility of the property owners.

(6) **ECONOMIC GROWTH & DEVELOPMENT:** Commissioner Cody stated the county needs to re-establish the economic development commission or an advisory board and move the county forward - a board that can assist potential businesses and industries. There is a need to capitalize on county assets and make a concerted effort to attract businesses and industries. The county needs to provide jobs so young folks will be able to remain in the county if they so choose.

Commissioner Elders stated he agreed with Commissioner Cody.

Commissioner Jones suggested that rather than having an economic development commission, consider an advisory board consisting of representatives from the county and municipalities. Further, resume discussions with the municipalities concerning per capita funding because the county has always contributed the majority of funding for economic development.

Mr. Wooten suggested scheduling a work session to review models from other counties and invite economic experts to make a presentation and then develop what would work best for Jackson County.

(7) **ALCOHOLIC BEVERAGES REFERENDUM:** Attorney Coward stated he had consulted with the ABC Commission in Raleigh and was informed that Jackson County is eligible and would qualify for a referendum in the spring of 2012 if it so chooses.

Pursuant to G. S. 18B-602, four propositions must be placed on the ballot: *Malt Beverage, Unfortified Wine, ABC Store and Mixed Beverage.*

The Town of Sylva currently operates an ABC Commission. The distribution of revenue is complicated and involves payments to many agencies; however, it would ultimately be financially beneficial to the county. The ABC Commission in Raleigh will not assist the county before the election except with information.

G. S. 18B-602 states that when a county is eligible to hold an election under G. S. 18B-600, the county board of elections shall hold the election upon receiving either:

1. A written request for an election from the governing body of the county; or
2. A petition requesting an election signed by at least thirty-five percent (35%) of the voters registered in the county at the time the petition was initiated.

G. S. 18B-601(f) Election Date. The board of elections shall set the date for the alcoholic beverage election, which may not be sooner than 60 days nor later than 120 days from the date the request was received from the governing body or the petition was verified by the board.

All ballots must be approved by the Justice Department prior to an election if the Board should decide it wants to submit a request.

(8) CDBG GRANT COMPLIANCE DOCUMENTS: Gerald Green, Planning Director, presented the following community development block grant documents for approval:

- (a) Local Economic Benefit for Low and Very Low-Income Persons Plan
- (b) Recipient's Plan to Further Fair Housing
- (c) Equal Employment & Procurement Plan
- (d) Language Access Plan
- (e) Citizen Participation Plan & Certification
- (f) Compliance Officer/Grievance Procedure
- (g) Section 504 Compliance Complaint Procedure

Motion: *Commissioner Cody moved to approve the documents. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(9) COUNTY MANAGER POWERS AND DUTIES RESOLUTION (R11-17): Commissioner Jones recommended the following changes:

Add a phrase in the first sentence of Paragraph 1: "That the county manager is authorized, *with the exception of the positions defined in Paragraph (9) below*, pursuant to"

Add a Paragraph 9 listing the defined positions.

Motion: *Commissioner Cody moved to table the issue. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(10) HISTORIC PRESERVATION COMMISSION: Carry over.

(11) **JURY COMMISSION:** By letter, the Clerk of Superior Court stated that Earl Hooper has agreed to continue to serve if reappointed.

Motion: *Commissioner Jones moved to reappoint Earl Hooper to a 2-year term on the Jury Commission. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.*

INFORMAL COMMENTS BY PUBLIC: None.

PRESS CONFERENCE

CLOSED SESSION: Chairman Debnam stated there was a need for a closed session pursuant to G. S. 143-318.11(a)(6) Personnel.

Motion: *Commissioner Jones moved that the Board go into closed session. Commissioner Cowan seconded the Motion. Motion carried.*

Chairman Debnam called the regular meeting back to order and stated that in closed session the County Manager was authorized to take the appropriate personnel action requested.

There being no further business, Commissioner Jones moved to adjourn the meeting. Commissioner Cowan seconded the Motion. Motion carried and the meeting adjourned at 8:00 p.m.

Attest:

Approved:

Evelyn Baker, Clerk to Board

W. J. Debnam, Chairman