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Time Posted: _____
Posted By: Pat Parris
Witnessed By: _____

**MINUTES OF A
REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
April 2, 2012**

The Jackson County Board of Commissioners met in a Regular Session on April 2, 2012, 2:00 pm, Justice & Administration Bldg, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Jack Debnam, Chairman
Doug Cody, Vice Chair
Charles Elders, Commissioner
Mark Jones, Commissioner
Joe Cowan, Commissioner

Chuck Wooten, County Manager
J. K. Coward, Jr., Co. Attorney
Pat Parris, Clerk to Board

Chairman Debnam called the meeting to order.

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

MINUTES: Commissioner Jones moved to approve the Minutes of the Regular Meeting of March 19, 2012. Commissioner Cody seconded the Motion. Motion carried.

PROCLAMATION - NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK: Chairman Debnam read a Proclamation for National Public Safety Telecommunications Week which is in honor of the men and women whose diligence and professionalism keep the county and citizens safe.

Motion: *Commissioner Jones moved to proclaim April 8 – 14 as National Public Safety Telecommunications Week. Commissioner Cody seconded the Motion. Motion carried by unanimous vote.*

(1) CHAIRMAN'S REPORT: Chairman Debnam recognized Jim Campbell who introduced Terrie McElroy, the new CEO/ CFO of BalsamWest Fiber Net. The Smoky Mountain High School Show Choir won first place last week at Festival Disney

(2) COMMISSIONER REPORTS: Commissioner Elders reported he attended the Region A meeting last week at which time Graham County Commissioner Mike Edwards was appointed Chairman. Commissioner Cody reported that WRGC radio station is now on the air and will provide an additional link to the information network.

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

(a) Unemployment Rates: Jackson County's rate increased from 9.4% in December 2011 to 11.7% in January 2012. The February and March reports were unavailable; however, press reports suggest the rate has declined.

(b) Metrostat Assets: He met with ERC Broadband and found them to be very willing to assist in any way possible. ERC agreed to work with George Ware to identify a short term solution for his bed and breakfast so the County can move forward with an evaluation of the assets without any specific time deadlines.

(c) **Mark Watson Park:** A final inspection should occur over the next couple of weeks. An additional fenced in area will be added between the newly installed sidewalk and outfield fence for a no-leash area for dogs. This can be done within the funds that were allocated for the park project.

(d) **Cashiers Recreation Center:** Most of the roof is in place so the building will be in the dry within the next few weeks. The mild winter weather has allowed this project to move forward without delay. The end of the year completion date is certainly attainable.

(e) **Judaculla Rock:** The project is completed with the exception of some final signage. As soon as the signage is in place an official dedication ceremony will be scheduled.

(f) **Cashiers Recreation Site Project:** A few outstanding items remain related to the bio-retention pond and some final engineering reports. Communications with the general contractor continue and hopefully this project will soon be finished.

(g) **Whittier Sewer System:** He met with Bill Gibson, Region A, Larry Blythe, Vice Chief, and Deanie Martin, Financial Analyst with Martin-McGill to review the operating status. Presently, the system is operating with an annual deficit of \$110,000 and this amount is currently being subsidized jointly by Jackson County and the Tribe. Once the system is completed and operating on a break even basis, it will be transferred to TWSA. Unfortunately, it does not appear this will happen in the short term since there are so few customers. The operating agreement between the Whittier Sanitary District and TWSA is being reviewed to better understand how the ownership of this system will be handled once funds are depleted. The County has a vested interest in the success of this system since it provides sewer service to Smokey Mountain Elementary School.

(h) **Qualla Community Center:** The Qualla Community Center has requested assistance with the replacement of the community center roof. In keeping with earlier action with the Glenville Community Center, he recommended that an offer for advance of future appropriations be made so they can make the needed roof repairs. The County has provided \$1,500 annually so the advance is the equivalent of 5 years allocations which would be through June 30, 2017.

(i) **NCACC District Meeting:** April 11th, 5:30 pm. Doubletree Biltmore.

(4) **COLTON COURT:** Betty Estes, Owner, stated she received a letter dated March 7, 2012 stating that a late payment penalty fee in the amount of \$2,320 had been assessed. The property is located in close proximity to the Cherokee Casino and does not generate enough revenue to pay the penalty or property taxes. The property taxes are in excess of \$3,000 which she pays personally. She requested a waiver of the penalty because it would create a hardship. She stated making tax payments are her responsibility and this oversight will not happen again.

Carry Over

(4) **EMERGENCY MANAGEMENT:** Todd Dillard, Director, gave an update of the status of renovations at the new site. The following four offices will be moving on April 16: Emergency Management, Administrative Assistant, Deputy Fire Marshal, and a portion of the 911 Addressing Office. A new 911 Operations Center will be constructed on the site in the near future.

(5) **OCCUPANCY TAX STEERING COMMITTEE:** Mark Jones stated the steering committee has been working diligently and meeting every two weeks. The next meeting is scheduled for next Thursday at which time Jay Coward will present recent information he has discovered. Ridgetop Associates, consultants, have provided information concerning Tourism Development Authorities in neighboring counties, their various make ups and how disbursement of occupancy taxes are justified; however, there is no template or procedure of what one county does versus another county.

Mr. Coward stated it is the opinion of the legislative bill writers that the County is not compliant and must proceed with setting up a Tourism Development Authority. The bill was not very well written and the way he interprets it is not the way it is interpreted by the bill writers. He has sent a letter to the bill writing committee requesting some changes. The bill does not state members must be appointed and is one of the questions submitted to the committee. Basically the law states the County must provide for membership of the authority, but clarification is needed as to whether that means appoint or just provide for different positions that can be filled later. The bill does not authorize the County to establish members' terms, how they are appointed, when they are to be appointed and whether the terms are successive. The bill provides for compensation but does not address whether the County has the authority over the level of compensation.

(6) ECONOMIC DEVELOPMENT PROJECT ADVISORY COMMITTEE: Mr. Wooten stated the following have agreed to serve:

Jeff Murphy, Jackson Paper	Don Hensley, Western Builders
Scott Stanberry, Stanberry Insurance	Don Tomas, SCC President
Will McKee, High Hampton Inn	David Gates, Appalachian Funeral Home
Fred Alexander, Duke Energy	Ben Granning, Ben Granning Landscaping
Chris Matheson, Town of Sylva Board	Wendy Cagle, WCU Representative
Bill Gibson, Southwestern Commission Director	
Jason Lambert, Economic Development Director for EBCI	
Doug Cody, County Board of Commissioners	
Ex-Officio: Chuck Wooten, County Manager	
Ex-Officio: Gerald Green, Planning Director	

Motion: Commissioner Jones moved to appoint Jeff Murphy, Scott Stanberry, Will McKee, Fred Alexander, Chris Matheson, Bill Gibson, Jason Lambert, Don Hensley, Don Tomas, David Gates, Ben Granning, Wendy Cagle, and Doug Cody to the Economic Development Project Advisory Committee and Chuck Wooten and Gerald Green to serve as ex-officio members. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.

(7) JACKSON TRAVEL & TOURISM AUTHORITY BOARD: Carry over.

(8) SMOKY MOUNTAIN CENTER BOARD OF DIRECTORS:

Motion: Commissioner Cowan moved to appoint Jack Debnam to fill his unexpired term on the Smoky Mountain Center Board of Directors. Commissioner Elders seconded the motion. Motion carried by unanimous vote.

INFORMAL COMMENTS:

(a) George Ware of Whittier thanked Mr. Wooten and Mr. Morgan for their efforts in the last couple of weeks in trying to resolve his internet wireless situation. He is appreciative to learn that a meeting is scheduled with BalsamWest who has the capability to provide him service within the next two weeks.

(b) Avram Friedman of Sylva stated he represents a non-partisan national movement that is rapidly becoming a vast ground swell in support of a new amendment to the U.S. Constitution to reverse the Supreme Court's 2009 decision in the *Citizens United v. Federal Election Commission* case in which the court defined corporations as people and money as a form of speech which cannot be regulated for the purpose of limiting corporate political campaign contributions. Corporations are not people; it is a form of power. He requested the Board to adopt a resolution at the next meeting addressing this issue and forward same to the General Assembly.

(c) Lucy Christopher of Cashiers stated she is a member of WNC Occupy Group. History of corporate growth and national influence to the current state of corporate domination which culminated two years ago with the Supreme Court's decision in "*Citizens United v. Federal Election Commission*" which, in effect, gave the country's economy and governmental power to the wealthiest among its citizens. Corporations now dominate not only the economy but elections. She urged the Board to exert its leadership and help prevent the country's government from corporate take-over and vote yes to a resolution.

(d) Pat Montee of Sylva stated she is a member of the WNC Occupy group and supports the proposed resolution for a constitutional amendment. Corporate lobbying has influence on everyone as well as impacts clear air and water legislation, and most certainly the economy. She urged the Board to add a resolution on the next agenda.

(e) John Bickerstaff of Sylva stated he supports the proposed resolution. The best thing that can happen at this moment in history is to begin to rebalance the power in America by putting some restraints on corporate money in the lives of everyone regardless of political affiliation. He encouraged the Board to highly consider a resolution

(f) Robert Ferguson of Bryson City stated the Board should approve a resolution.

Press Conference

There being no further business, Commissioner Elders moved to adjourn the meeting. Commissioner Jones seconded the Motion. Motion carried and the meeting adjourned at 3:00 p.m.

Attest:

Approved:

Patsy C. Parris, Clerk to Board

W. J. Debnam, Chairman