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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
JUNE 4, 2012**

The Jackson County Board of Commissioners met in a Regular Session on June 4, 2012 at 2:00 pm, Justice & Administration Building, 401 Grindstaff Cove Rd., Room A201, Sylva, North Carolina.

Present: Jack Debnam, Chairman
Doug Cody, Vice Chair
Mark Jones, Commissioner
Charles Elders, 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 Cowan amended the Agenda by adding a Resolution for an Amendment to the U.S. Constitution. Chairman Debnam amended the agenda by adding a Designation of ABC Permit Official Resolution and a Resolution for Emergency Management Dept./Communications to have access to SBI/DCI Criminal Record information. Commissioner Cowan moved to approve the amended Agenda. Commissioner Elders seconded the Motion. Motion carried.

MINUTES: Commissioner Elders moved to approve the Minutes of the Work Session and Regular Meeting of May 21, 2012. Commissioner Jones seconded the Motion. Motion carried.

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

(a) **Register of Deeds Office:** The Register of Deeds Office will be closed on June 12th from 8:00 am to 3:00 pm to allow staff members to attend mandatory training. The office will open at 3:00 pm.

(b) **Cooperative Extension Office:** After 32 years of service, Cheryl Beck will be retiring from the North Carolina Cooperative Extension Service. Cheryl has had a profound impact on many citizens in Jackson County through her service in 4-H and Family and Consumer Sciences. She will be missed; but, we celebrate her service to Jackson County and her upcoming retirement.

(c) **April Unemployment Rates:** The Jackson County rate declined from 10.4% in March to 9.0% in April. The April 2012 rate is less than the April 2011 rate. Excepting Haywood County, Jackson County has the lowest of the other western most counties.

(d) **Community Garden:** A couple of months ago, Adam Bigelow, appeared before the Commissioners and asked to utilize a piece of County property in Cullowhee for a community garden. The Health Department was awarded a \$39,580 grant to support this effort. Gerald Green is working with the Army Corp of Engineers to mark the wetlands so the project doesn't impact them.

(e) **Veteran's Benefits:** The most current annual report of veteran's benefits has been released and it shows a veteran population in Jackson County of 3,554 and total expenditures of \$16,605 million during FY 2011. This report demonstrates the importance of a good veteran's service office and reflects that Jackson County is receiving a very positive return on its investment.

(f) **Blue Ridge Free Dental Clinic**: At the request of the Clinic, a letter of support was drafted for Chairman Debnam's signature. This clinic has provided more than 7,100 patient visits who have received dental services with a market value of over \$3.6 million. They are expanding their space and will be expanding the number of dental chairs and are submitting a grant to USDA for support.

(g) **Webster Baptist Church Property**: A plat has been forwarded to the County Attorney for preparation of a deed. The property has been cleared of all the underbrush and there will be a river access point on the property.

(h) **Health Insurance**: One of the changes in the Employee Health Insurance plan is to move all users of nicotine to the level that has higher co-pays and deductibles. This was done because of the statistical risks for increased medical costs associated with smokers and nicotine users and this action is consistent with other self insured plans. A request from an employee to reconsider this action has been submitted. The County provides at no-cost to the employee the opportunity to attend workshops to assist in discontinuing the use of tobacco products. The County also pays the co-pays associated with prescriptions for employees and their dependents who want to stop smoking. This is a personal choice; however, tobacco users have an increased risk for higher medical costs. He recommended that the health plan remain as is unless the Board would like to consider this modification.

(i) **ABC BOARD - Joint Meeting with Town of Sylva**: A joint meeting with the Town of Sylva is scheduled on June 18, 2:00 p.m. at the Justice Center in Room A227. Laurie Lee from the NC ABC Commission will discuss options for establishing a County ABC Board.

(2) BUDGET AMENDMENTS: Darlene Fox, Finance Director, presented four budget amendments.

Motion: *Commissioner Elders moved to approve the budget amendments. Commissioner Jones seconded the motion. Motion carried by unanimous vote.*

(3) SMOKY MTN HIGH & BLUE RIDGE SCHOOLS: John Cort, Architect, requested authorization to advertise the projects for bids.

Motion: *Commissioner Cody moved to advertise for bids. Commissioner Elders seconded the motion. Motion carried by unanimous vote.*

(4) CASHIERS COMMERCIAL AREA DEVELOPMENT ORDINANCE AMENDMENT: Gerald Green, Planning Director, stated the Cashiers Area Planning Council has recommended that the ordinance be amended to include the definition of bars, taverns, nightclubs and establishments serving alcohol. He requested that a public hearing be scheduled.

Motion: *Commissioner Cowan moved to schedule a public hearing on June 18, 2012 at 5:30 p.m. Commissioner Jones seconded the motion. Motion carried by unanimous vote.*

(5) COMMUNITY DEVELOPMENT BLOCK GRANT: Gerald Green, Planning Director, stated that work has been completed on Grant #09-C-1996 and #02-D-3096. The projects completed were one home rehabilitation and construction of two new homes. He requested a public hearing be scheduled to receive public comments concerning the projects.

Motion: *Commissioner Jones moved to schedule a public hearing on June 18, 2012 at 5:40 p.m. Commissioner Elders seconded the motion. Motion carried by unanimous vote.*

(6) RURAL OPERATING & ASSISTANCE (ROAP) APPLICATION: A public hearing was held on June 4, 2012 at 1:50 p.m. and no public comments were made. The Board was requested to approve a Certified Statement for the FY2012-13 Rural Operation & Assistance Program (ROAP).

Motion: *Commissioner Elders moved to approve the Certified Statement. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(7) SOLID WASTE MGMT PLAN 3-YEAR UPDATE: Chad Parker, Public Works Director, requested that a public hearing be scheduled to receive comments concerning the proposed 3-year update.

Motion: Commissioner Jones moved to schedule a public hearing on June 18, 2012 at 5:50 p.m. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(8) SENATE BILL 433 – RESOLUTION (R12-13): Mr. Wooten stated Senate Bill 433 will allow county flexibility in the organization of local services so counties can offer a more streamlined and efficient government to minimize administrative costs and maximize services for citizens. He recommended adoption of a resolution in support of Senate Bill 433.

Motion: Commissioner Cody moved to adopt the Resolution. Commissioner Elders seconded the Motion. Motion carried by a vote of 3 -2 with Commissioners Jones and Cowan voting “nay”.

(9) COWARD HIGHWAY DESIGNATION RESOLUTION (R12-14): Mr. Wooten presented a resolution requesting that a portion of NC Highway 107 from the Walter T. Middleton Bridge at Tuckaseegee to its intersection with U. S. 64 in Cashiers be named the “Orville D. Coward and James Kent Coward Highway” in honor of their invaluable contributions to Jackson County.

Motion: Commissioner Elders moved to adopt the Resolution. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(10) DESIGNATION OF ABC PERMIT OFFICIAL RESOLUTION (R12-15):

Motion: Commissioner Cody moved to rescind Resolution R12-12 and designate the County Manager or his designee as the ABC Permit Official. Commissioner Elders seconded the Motion. Motion carried by a vote of 3 – 2 with Commissioners Jones and Cowan voting “nay”.

(11) EMERGENCY MANAGEMENT DEPT./COMMUNICATIONS RESOLUTION (R12-16): The resolution is for the Emergency Mgmt. Dept./Communications to have access to SBI/DCI criminal record information for use in making recommendations of the suitability of a person or of a location for an ABC Permit.

Motion: Commissioner Elders moved to adopt the Resolution. Commissioner Cody seconded the Motion. Motion carried by a vote of 3 -2 with Commissioners Jones and Cowan voting “nay”.

(12) U. S. CONSTITUTION AMENDMENT RESOLUTION (R12-17): Commissioner Cowan presented a Resolution requesting the North Carolina General Assembly to petition Congress to amend the U.S. Constitution to reflect that the rights protected by the Constitution of the United States are the rights of natural persons only, and that “artificial entities” refers collectively to corporations, both for profit and not for profit, limited liability companies, unions, PACS, and other entities established by the laws of any State, the United States or any foreign state shall have no rights under the Constitution and that money is not speech.

Chairman Debnam suspended the rules and invited public comments on the issue. Allen Lomax stated he supports the resolution and urged that it be approved.

Commissioner Cody stated that the “Move to Amend” website contains different resolution models, but all would prohibit individuals from spending their own money when running for election.

Motion: Commissioner Cowan moved to adopt the Resolution. Commissioner Jones seconded the Motion. Motion failed by a vote of 2-3 with Commissioners Cody and Elders and Chairman Debnam voting “nay”.

(13) REGION A AGING ADVISORY COUNCIL:

Motion: *Commissioner Cowan moved to appoint Martha Chovan to fill the unexpired term of Irene Hooper and appoint Kristina Kisha to a 3-year term on the Region A Aging Advisory Council. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

Informal Comments by Public

(a) Robert Stafford of Glenville thanked the Board for the change made to the sign on the Cashiers-Glenville Recreation Center. He stated there are problems with speeding traffic in the Glenville area. He requested the county to do whatever it can to cause the speed limit to be lowered to 35 mph.

(b) Avram Friedman of Dillsboro gave an update of the progression of the “Move to Amend” resolution process.

(c) James Lomax stated that “Occupy” is the heart of America and thanked Commissioners Jones and Cowan for their votes.

(d) Marie Leatherwood of Sylva expressed her dissatisfaction with the Board’s actions.

(e) Carl Iobst of Cullowhee requested that the public comment time be moved back to the beginning of the agenda because it might be helpful in furthering conversation.

Press Conference

CLOSED SESSION:

Motion: *Chairman Debnam moved that the Board go into closed session pursuant to G.S. 143—318.11(a)(6) Personnel. Commissioner Jones seconded the Motion. Motion carried.*

AGENDA AMENDMENT: Chairman Debnam called the regular meeting back to order and stated no action was taken in closed session except approval of Closed Session Minutes. He requested that the Agenda be amended by adding “Personnel”.

Motion: *Commissioner Cody moved to amend the Agenda. Commissioner Jones seconded the Motion. Motion carried.*

(14) PERSONNEL: Chairman Debnam stated action is required in order to offer Tony Elders the position of Director of the combined offices of building inspections and code enforcement. Mr. Elders’ salary would remain the same.

Motion: *Commissioner Cody moved to authorize the County Manager to offer Tony Elders the Director position at his current salary. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.*

There being no further business, Commissioner Cody moved to adjourn the meeting. Commissioner Jones seconded the Motion. Motion carried and the meeting adjourned at 3:55 p.m.

Attest:

Approved:

Patsy C. Parris, Clerk to Board

W. J. Debnam, Chairman