

Posted: January 16, 2003
Time Posted: 11:00 am
Posted By: Evelyn Baker
Witnessed By: _____

**MINUTES OF THE REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
JANUARY 14, 2003**

The Jackson County Board of Commissioners met in a Regular Session on Tuesday, January 14, 2003, at 6:00 p.m. in the Boardroom, Justice & Administration Building, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Stacy Buchanan, Chairman
Roberta Crawford, Vice Chairman
Joe Cowan, Commissioner
Eddie Madden, Commissioner
Brian McMahan, Commissioner
Kenneth L. Westmoreland, County Manager
W. Paul Holt, Jr., County Attorney
Evelyn B. Baker, Clerk to the Board

Chairman Buchanan called the meeting to order.

AGENDA: Commissioner Crawford moved to approve the Agenda. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote.

MINUTES: Commissioner Madden moved to approve the Minutes of the Regular Meeting of December 17, 2002. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

INFORMAL COMMENTS BY THE PUBLIC: None

CONSENT AGENDA

- (1) Finance Report for November 2002 submitted.
- (2) Tax Collector's Report for December 2002 submitted. D & R Properties (Best Western Inn) was erroneously assessed for an entire year rather than six months, thus the refund of \$12,847.

ADMINISTRATIVE REPORTS

(3) CHAIRMAN'S REPORT:

(a) Chairman Buchanan and Commissioner McMahan met with the Fire and Rescue Chiefs last week to discuss funding sources and creating an emergency services commission. One additional meeting will be scheduled for the Cashiers area.

(b) Chairman Buchanan and Commissioner Crawford will be meeting with Macon County officials to discuss the current solid waste agreement between the two counties solid waste on January 22, 2003, 6:30 p.m. in Highlands.

(c) The Solid Waste Task Force has requested a project and Chairman Buchanan recommended that they review the contract with Webster Enterprises that expires in June 2003 concerning recycling. The county's larger institutions' recycling also needs attention

(d) A Special Meeting has been scheduled with Southwestern Community College Board of Trustees on February 6, 2003, 6:00 p.m. This will be an informational dinner meeting.

(e) The Region A Commission regional meeting is scheduled on January 27.

(f) The N.C. Association of County Commissioners has notified the Board that a successor to District 17 Director needs to be selected.

(g) Chairman Buchanan and Commissioner Crawford will be meeting with the Qualla Fire Department building committee.

(4) COMMISSIONERS' REPORT: Commissioner McMahan reported that he was at the Balsam/Willets/Ochre Hill Fire Department last week for inspection by the N.C. Dept. of Insurance. All fire departments passed inspection. Pending next month's meeting and vote on the 6-mile insurance district map, many residents may be eligible for reduced fire insurance rates.

(5) COUNTY MANAGER'S REPORT: Mr. Westmoreland presented a proposed Budget Calendar for FY 2003-2004. He has just received notification from the N.C. Department of Commerce, Division of Community Assistance, that Jackson County is eligible to receive a \$400,000 CDBG grant for scattered house sites. These funds would be used for rehabilitation of existing owner-occupied homes for low-income residents. He requested that this item be placed on the next agenda.

(6) ADMINISTRATION OFFICES – SECOND FLOOR OF NEW JAIL-GRANT THARP, ARCHITECT: A proposed final plan for the second floor was presented. Installation of an elevator is in progress. The new Boardroom should seat 110-120 if bench-type seating is used. Additional conference and workrooms were incorporated into the plans. Attorney Holt requested that the public not have access to the area behind the Judge's chambers and courtrooms due to security. Mr. Tharp will meet with the current contractors for pricing within the next week. Pursuant to the last Board's recommendation, this project will not be released for bids, but will be handled as a change order to the existing contract. If handled in this manner, it would save approximately 60-90 construction days.

(7) CHALET INN – TTA TAX PENALTY APPEAL: George Ware, owner of The Chalet Inn, requested a waiver of the \$10.00 late payment tax penalty because it was, in his opinion, a postal error. He stated he mailed his payment timely, but it was not postmarked on the correct date because the Sylva Post Office was implementing a new posting system. Mr. Ware asked if the state law could be changed. Commissioner Cowan recommended that Attorney Holt review this state law and see if taxes could be paid quarterly. Chairman Buchanan suggested that this matter be handled as two issues on the next agenda: (a) penalty, and (b) possible changes to state law.

(8) SOCIAL SERVICES REQUESTS FOR ADDITIONAL PERSONNEL: Bob Cochran, Director, Social Services Department, presented extensive documentation substantiating the need for additional personnel to manage increased workload responsibilities. He requested two positions: (a) Social Worker II and (b) Income Maintenance Caseworker II. Based on state allocations, the County would only need to partially fund each position.

(9) APPOINTMENTS TO REGION A ADVISORY COUNCIL: Commissioners were requested to submit recommendations to Mr. Westmoreland prior to the next meeting.

(10) FIRST FLIGHT CENTENNIAL COMMISSION FLAG: The North Carolina First Flight Centennial Commission and the National Park Service requested, by letter, that a First Flight flag be raised at the Justice Center for one year. This request will be honored.

(11) BUDGET AMENDMENTS: These amendments are for state allocations to the health department.

(12) COUNTY MANAGEMENT RECORDS RETENTION & DISPOSITION SCHEDULE: Each year the North Carolina Division of Archives and History recommends plans, pursuant to state statutes, for the disposition and retention of certain county records.

(13) JACKSON COUNTY PLANNING DOCUMENT “PLAN OF ACTION”: Chairman Buchanan presented a proposed plan for restructuring the Planning Department. This is only a “talking paper” for use at the January 16, 2003 Smart Growth meeting. He said he would probably recommend that the new “7-Member Planning Board” be increased to 9. He suggested that the Commissioners also submit ideas and recommendations for that meeting.

(14) ASPHALT PLANT: Craig Justus, Attorney for Mark Fortner, requested that the Industrial Development Ordinance be amended, or in the alternative, Mr. Fortner be issued a variance. Mr. Fortner has been unsuccessful in locating another site that falls within the guidelines of the Ordinance. Mr. Justus requested a meeting with the Board so that several experts could address the Board concerning asphalt plants. Mr. Justus was

requested to submit a variance, amendment, and synopsis of experts' reports to Attorney Holt for review prior to this issue being placed on a future agenda.

(15) PARTF GRANT APPLICATION: Jeff Carpenter, Director, Parks & Recreation Department, presented an application for a PARTF matching grant in the amount of \$181,335 which would be used for the Canada Community Park. The total cost of the project will be \$362,670. He presented an itemized report on how the funds would be used. This is a highly competitive grant and will not be awarded until June.

(16) JACKSON COUNTY RECREATION CENTER STATUS REPORT: Jeff Carpenter updated the Board on visitation (8,646), exclusive of sports teams, to the recreation center during the past six months. The total revenue generated through January 13, 2003 was \$31,968.

Chairman Buchanan moved that the Board go into Closed Session pursuant to G.S. 143-318.11(a)(6) Personnel. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote.

Chairman Buchanan called the Open Session back to order and reported no action or votes were taken in Closed Session.

(17) SHERIFF'S DEPARTMENT: Sheriff Ashe presented detailed documentation to support the following requests:

- (a) Combine budget line items (11-4310-699-01 Controlled Substance- Drug and 11-4310-699-03 Narcotic Fund). This would aid in the accountability of the funds and to prepare the records for audits.
- (b) Implementation of new separate line items for monies received by the Sheriff's Office and would serve as a better way of maintaining accountability of money received and expenditures:
 1. United States Forest Service Cooperation fund
 2. Fees collected for concealed weapon permit applications
 3. Federal forfeiture monies
 4. State forfeiture monies
 5. N. C. State illegal drug tax monies
- (c) New line item for Registration of Poker Machine Fees. He has been advised that according to a bill currently proposed in the State Legislature will be the responsibility of the Sheriff to register and collect fees for all poker machines in the county.
- (d) Increase fees for out of state civil process from \$5.00 to \$50.00. The majority of other counties charge \$50.00. In state civil process fees will remain at \$5.00.
- (e) New personnel (four detention officers, one administrative assistant, one detective, and one patrol deputy). Due to the design, inmate capacity and the area to be covered, additional staff is needed. Sheriff Ashe stated he had made several adjustments within the department to help offset these new positions in addition to applying for grants.

- (f) Domestic Violence/Sexual Assault Unit Proposals. He submitted and requested approval of one of three different proposals.
- (g) Additions/Changes in the new Jail Facility. He presented a list of 28 items for review. This will be treated as a “punch list” and given to the Contractor. These requests will be placed on the January 21, 2003 Agenda.

Commissioner Crawford moved that the meeting be adjourned. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote and the meeting adjourned at 9:35 p.m.

Attested By:

Approved:

Evelyn B. Baker, Clerk to the Board

Stacy Buchanan, Chairman