

Posted: March 19, 2003
Time Posted: _____
Posted By: Evelyn Baker
Witnessed By: _____

**MINUTES OF THE REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
MARCH 18, 2003**

The Jackson County Board of Commissioners met in a Regular Session on Tuesday, March 18, 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 Madden seconded the Motion. Motion carried by unanimous vote.

MINUTES: Commissioner McMahan moved to approve the Minutes of the Regular Meeting of March 11, 2003 and Work Session of March 13, 2003. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

INFORMAL COMMENTS BY THE PUBLIC: Jim Cruzan, former Sheriff, read a statement concerning allegations of improprieties during his term of office. He stated that the domestic violence grant reports were up-to-date, grant money was not used to purchase computers, narcotics operations money was not used improperly, gun permits were properly issued, investigations were conducted fairly and equally, all equipment was accounted for and all records were in order on December 2, 2002, the 2002-2003 budget was not depleted, and money received from the U.S.F.S. was deposited with the finance office. He was informed that the audits did not reveal any improprieties.

CONSENT AGENDA

(1) (2) (3). Commissioner Cowan moved to approve the January 2003 Finance Report, the January 2003 Tax Collector's Report and five budget amendments. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

ADMINISTRATIVE REPORTS

(4) **CHAIRMAN'S REPORT**: The N.C. Association of County Commissioners District Meeting is scheduled on Wednesday, April 23, 2003, 4:00 – 7:00 p.m., Waynesville Country Club.

(5) **COMMISSIONERS' REPORT**: Commissioner Crawford reported that the Historic Courthouse Committee met on March 24th. The next meeting is scheduled on April 28th, 6:00 p.m. at the Historic Courthouse.

(6) **COUNTY MANAGER'S REPORT**: None

(7) **APPOINTMENTS TO SPECIAL BOARD OF EQUALIZATION AND REVIEW**: Commissioner Madden moved that Richard Robson be appointed and Arlie Moss as Chairman, Richard D. Wilson as Vice Chairman, Gail S. Cooper, and Rogers Shelton be re-appointed to the Special Board of Equalization and Review. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

(8) **SHERIFF'S OFFICE PERSONNEL PLACEMENT & REORGANIZATION**: Sheriff Ashe requested that salary adjustments be made for personnel in his office. Commissioner Cowan moved that the Sheriff's Office reorganization plan be approved. Commissioner Madden seconded the Motion. Commissioners' Crawford and McMahan stated they could not approve the plan because it did not conform to the county's personnel policy as it relates to increases and decreases in salaries. Motion carried by a vote of 3 –2, with Commissioners Crawford and McMahan voting "nay".

(9) **AGING DEPT. LONG-RANGE PLANS**: No action required

(10) **SMOKY MOUNTAIN MENTAL HEALTH LOCAL BUSINESS PLAN**: Carried over to April 10, 2003.

(11) **WEBSTER ENTERPRISES**: Mr. Westmoreland reported that the survey for the Dillsboro SRC site should be completed at the end of this week.

(12) **R & B LANDFILL, HOMER, GEORGIA, RATIFICATION OF LANDFILL DISPOSAL AGREEMENT**: Commissioner McMahan moved to approve Mr. Westmoreland's recommendation. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

(13) **SOCIAL SERVICES FACILITY PROPERTY ACQUISITION**: Mr. Westmoreland reported that negotiations are continuing and a contract should be available by the next board meeting.

(14) ECONOMIC DEVELOPMENT COMMISSION – MEMORANDUM OF AGREEMENT FOR OPERATION & SUPPORT: Commissioner Crawford moved to approve the Memorandum of Agreement. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(15) COUNTY HEALTH BENEFITS PLAN: (a) Commissioner McMahan moved to approve Mark III Brokerage, Inc. as a consultant to assist in the procurement and review of insurance plans. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(b) Commissioner Cowan moved to appoint Patsy Lovedahl (Human Resource Technician), Randall Turpin (Health Director), Janice Short (Detention Facility Nurse), Margaret Wallace (DSS Income Maint.), Marc Hawk (Housekeeping Supervisor), Kathy Buchanan (Recreation Secretary), Ken Westmoreland (County Manager), David Nolan (retired employee), Commissioner McMahan and Commissioner Crawford to serve on Employee Benefits Advisory Committee. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

(16) SELECT FIRM FOR OUTSIDE AUDITING SERVICES: Commissioner Crawford moved to approve a contract with Hughes-Hughes & Company for auditing services. Commissioner Madden seconded the Motion. Motion carried by unanimous vote.

(17) PUBLIC LIBRARY BOARD OF TRUSTEES APPOINTMENT: Upon the recommendation of Michael Cartwright, County Librarian, Commissioner McMahan moved to appoint Dr. Gene Couch to the Public Library Board of Trustees. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(18) REGION A AGING ADVISORY COUNCIL APPOINTMENTS: Upon the recommendation of Helen Bryson, Director, Dept. on Aging, Commissioner Madden moved to appoint Jane Brown as member, Rev. Ron Allen and Davia Allen as alternates to the Region A Aging Advisory Council. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote.

(19) HEALTH BOARD APPOINTMENT: Upon the recommendation of Randall Turpin, Director, Health Department, Commissioner Crawford moved to appoint Kim Cowan to the Health Board. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote.

(20) SMART GROWTH TASK FORCE APPOINTMENTS: Chairman Buchanan appointed Mark Jamison; Commissioner Crawford appointed Gary Buchanan; Commissioner Cowan appointed Rob Shelton; Commissioner McMahan appointed Richard Wilson; Commissioner Madden appointed Mickey Henson. Commissioner Crawford moved to appoint Jay Spiro and Jim Dukes as at-large members. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote.

(21) APPOINTMENT TO ECONOMIC DEVELOPMENT COMMISSION:

Commissioner Madden moved to appoint Marty Jones to the Economic Development Commission of Jackson County. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote.

(21-A) APPOINTMENT TO JACKSON COUNTY TRAVEL & TOURISM BOARD OF DIRECTORS:

Upon the recommendation of Julie Spiro, Executive Director, Commissioner Crawford moved to appoint Mike Williams, Lumpy Lambert, Mary Beth Druzbeck and Betty Westmoreland to the Jackson County Travel & Tourism Board of Directors. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(21-B) APPOINTMENTS TO CASHIERS TRAVEL & TOURISM BOARD OF DIRECTORS:

Upon the recommendation of The Cashiers Travel & Tourism Board, Commissioner McMahan moved to appoint Linda Rogers and Judy Gray to the Cashiers Travel & Tourism Board of Directors. Commissioner Madden seconded the Motion. Motion carried by unanimous vote.

(21C)CASHIERS COMMERCIAL DISTRICT TASK FORCE APPOINTMENT:

Commissioner Madden moved to appoint Lester Freeman to the Cashiers Commercial District Task Force. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote.

(22) McCALL ROAD RESOLUTION:

Commissioner Crawford moved to adopt a resolution for the Department of Transportation to add McCall Road (SR1101) to its maintenance system. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(23) RESOLUTION – DESIGNATION OF APPLICANT’S AGENT:

Commissioner Crawford moved to adopt a resolution for the designation of an agent for a mitigation-planning grant. Commissioner Madden seconded the Motion. Motion carried by unanimous vote.

(24) RESOLUTION – LLOYD HOOPER ROAD:

Commissioner McMahan moved to adopt a resolution for the Department of Transportation to abandon a portion of Lloyd Hooper Road (SR1154) from its maintenance system. Commissioner Cowan seconded the Motion. Commissioner Crawford requested that the transmittal letter to DOT state that Mr. Lupas is required to construct a turn-around as it now is and as specified by the Dept. of Transportation. Motion carried by unanimous vote.

(25) CASHIERS INCORPORATION REFERENDUM RESOLUTION:

Commissioner Madden moved to adopt the resolution. Chairman Buchanan seconded the Motion. Commissioner Madden stated that this issue has caused a tremendous amount of discussion in the community and he was of the opinion that the best course of action is for the community to vote on the issue. Chairman Buchanan stated that this is a Cashiers issue and should be addressed and voted on by the citizens of Cashiers. Commissioner

Crawford stated that our local representative in Raleigh should address this issue. She further stated that she supported the right to vote and opposes ETJ; however, she cannot support the resolution. Commissioner Cowan stated that the “Plan of Action”, approved by the board, appointed a Cashiers Commercial District Task Force which he viewed as an alternative to incorporation. He further stated that this board does not have authority over this issue and the elected state representative and senator should address it. Commissioner McMahan stated that he had done research and can understand both sides of the issue; however, state representatives have put the board in a precarious situation and he does not want to set a precedent on political issues, thus he cannot support the resolution. Further, the Charter calls for a vote and the people will be allowed to vote. Commissioner Madden stated the resolution gives guidelines to the legislature and the Commissioners are only establishing criteria. Attorney Holt stated that the legislature can ignore the resolution and there is no assurance that any stipulations set out will have any affect on it. Motion failed by a vote of 2 –3 with Commissioners Cowan, Crawford and McMahan voting “nay”.

(26) MILITARY LEAVE POLICY RESOLUTION: Mr. Westmoreland stated that the policy needed to be amended to specify “days” rather than “hours”. Commissioner Crawford moved to adopt a resolution for a new policy, as amended, regarding military leave and amending the Jackson County Human Resources Policy and Procedures Manual to include such language. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote.

Commissioner McMahan moved that the meeting be adjourned. Commissioner Madden seconded the Motion. Motion carried by unanimous vote and the meeting adjourned at 6:45 p.m.

Attested By:

Approved:

Evelyn B. Baker
Clerk to the Board

Stacy Buchanan, Chairman