

Posted: April 17, 2003  
Time Posted: \_\_\_\_\_  
Posted By: Evelyn Baker  
Witnessed By: \_\_\_\_\_

**MINUTES OF THE REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
APRIL 15, 2003**

The Jackson County Board of Commissioners met in a Regular Session on Tuesday, April 15, 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 Cowan moved to approve the Minutes of the Special Meeting of April 7, 2003, Public Hearing of April 8, 2003, Regular Meeting of April 8, 2003, and Special Meeting of April 10, 2003. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

**INFORMAL COMMENTS BY THE PUBLIC**: Veronica Nicholas, Chairman of the Jackson County Humane Society and Jean Lewis, Secretary, volunteered to serve on a study committee concerning the proposed Animal Control Ordinance. They would like to have animal rescue, animal adoption, compulsory spaying, neutering, and sale of animals addressed in the ordinance.

**CONSENT AGENDA**

**(1)(2)(3)** Commissioner Cowan moved to approve the Finance and Tax Collector Reports for February 2003, and Budget Amendments. Commissioner Madden seconded the Motion. Motion carried by unanimous vote.

## ADMINISTRATIVE REPORTS

**(4) CHAIRMAN'S REPORT:**

- (a) A public hearing has been scheduled on May 22, 2003, 6:00 p.m. at Southwestern Community College to hear public comment concerning a joint library with SCC.
- (b) Depending on the results of the Noise Task Force meeting on April 17<sup>th</sup>, a proposed Noise Ordinance may be available for review by the County Attorney and a public hearing scheduled.
- (c) The list of priorities for DOT maintenance, modernization and public improvements must be submitted to DOT by May 2<sup>nd</sup>. Chairman Buchanan recommended that a request for an overpass or underpass across Hwy. 116 to connect the new Social Services Building site and SCC be submitted.

**(5) COMMISSIONERS' REPORT:** None

**(6) COUNTY MANAGER'S REPORT:** Sam Duncan of the N.C. Property Tax Division will be holding a training session for the new Board of Equalization & Review. If the Commissioners are interested, Mr. Duncan may be willing to update them on changes in the property tax laws at a later date.

**(7) SMOKY MOUNTAIN MENTAL HEALTH LOCAL BUSINESS PLAN:**  
No action required.

**(8) FIRE TRUCKS – TRANSFER OF TITLES:** Commissioner Crawford moved to approve the title transfers. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote.

**(9) APPROVE HVAC BID – JACKSON COUNTY RECREATION CENTER:** Mr. Westmoreland reported that the W. E. Bolton bid did not include air conditioning in the two restrooms. The additional cost would be approximately \$3,000. Commissioner Crawford moved to approve the W. E. Bolton bid in the amount of \$45,900.00 plus \$3,000.00 for the restrooms. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

**(10) TAX REDUCTION SPECIALISTS CONTRACT:** Commissioner McMahan moved to approve the Contract. Commissioner Madden seconded the Motion. Motion carried by unanimous vote.

**(11) WADE HAMPTON GOLF CLUB:** Commissioner Crawford moved to approve the request for a fireworks display on July 4<sup>th</sup>. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

**(12) SOCIAL SERVICES FACILITY PROPERTY ACQUISITION:** Moved to item#26.

(13) **HIGHLANDS FIRE DISTRICT**: Funding for this service will be determined during the budget process. All counties have a mutual aid agreement.

(14) **CONSULTANT – SCOPE OF SERVICES**: Mark Jamison, Chairman of the Smart Growth Task Force, reported that due to inclement weather the task force did not meet last week. The meeting has been rescheduled for April 17<sup>th</sup>. This matter will be placed on the May 15, 2003 Agenda.

(15) **METROSTAT TECHNOLOGIES, INC. CONTRACT FOR WEB HOSTING AND INTERNET SERVICES**: Upon Mr. Westmoreland's recommendation, Commissioner Crawford moved to approve the contract and funding be allocated from the technical hardware account. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote.

(16) **APPOINTMENT TO SOLID WASTE BOARD** Chairman Buchanan moved to appoint Greg Scott to the Solid Waste Board. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(17) **APPOINTMENT OF REPRESENTATIVE TO THE RURAL TRANSPORTATION ADVISORY COMMITTEE**: Chairman Buchanan moved to appoint Commissioner McMahan to this committee. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

(18) **APPOINTMENTS OF CHAIRMAN AND VICE CHAIRMAN TO BOARD OF EQUALIZATION AND REVIEW**: Chairman Buchanan moved to appoint Richard Wilson as Chairman and Arlie Moss as Vice Chairman of the Board of Equalization and Review. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(19) **APPOINTMENT OF CHAIRMAN OF SMART GROWTH TASK FORCE**: Action taken on 4/8/03. Mark Jamison reported on the preparation work he had commenced and identified three priorities: (a) Subdivision Ordinance, (b) Recreation Master Plan, and (c) Ordinance Consolidation and Consistency. Mr. Westmoreland recommended that the task force develop a general "layman" handbook in pamphlet form to assist property owners concerning the rules and regulations for building in the county.

(20) **BANKING RESOLUTION TO APPROVE SEPARATE BANKING ACCOUNT FOR SHERIFF'S DEPT., NARCOTICS FUND**: Commissioner McMahan moved to approve the separate banking resolution. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

(21) **PROCLAMATION HONORING WCU FACULTY**: Action taken on 4/8/03.

**(22) DRUG AND ALCOHOL TESTING POLICY FOR JACKSON COUNTY TRANSIT:** Commissioner Crawford moved to approve the policy. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

**(23) SECOND FLOOR ADMINISTRATION EXPANSION PROJECT ORDINANCE:** Action taken on 4/8/03.

**(24) ANIMAL CONTROL ORDINANCE AMENDMENT:** A task force should be appointed to review the proposed Ordinance. The present Noise task force will be asked if it will be willing to review the Animal Control Ordinance. If not, then a new task force will be appointed which will include a representative from ARF, Sheriff's Office, health department, humane society, and one member of the present noise task force.

**(25) RESOLUTION TO CLARIFY THE NC RIDGE LAW TO ALLOW FOR UTILITY SCALE WIND FARMS IN WNC:** Avram Friedman requested that no action be taken until he has had an opportunity present further information to the Board.

**(26) ACQUISITION OF PROPERTY – NEW DSS FACILITY:** Action taken on 4/8/03.

Chairman Buchanan moved that the Board go into Closed Session pursuant to G.S. 143-318(a)(5) Real Property (Alexander and Hawkins). Commissioner Crawford 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.

Commissioner Crawford moved that the meeting be adjourned. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote and the meeting adjourned at 8:00 p.m.

Attested By:

Approved:

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Evelyn B. Baker  
Clerk to the Board

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Stacy Buchanan, Chairman