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Time Posted: \_\_\_\_\_  
Posted By: Evelyn Baker  
Witnessed By: \_\_\_\_\_

**MINUTES OF THE REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
NOVEMBER 25, 2003**

The Jackson County Board of Commissioners met in a Regular Session on Tuesday, November 25, 2003, at 6:00 p.m., 401 Grindstaff Cove Road, Courtroom One, 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**: Chairman Buchanan added #7A “Library Task Force Report” and #27 “210<sup>th</sup> National Guard Unit Christmas Gift”. Commissioner Crawford moved to approve the amended Agenda. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

**MINUTES**: Commissioner Cowan moved to approve the Minutes of the Work Session of November 18, 2003 and Regular Meeting of November 18, 2003. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote.

**INFORMAL COMMENTS BY THE PUBLIC**: Sue Barlett stated she has been a teacher for 28 years. Surrounding counties offer teacher supplements. She urged the Board to commit to implement supplements for teachers.

**CONSENT AGENDA**

**(1) FINANCE REPORT FOR SEPTEMBER 2003, (2) TAX COLLECTOR’S REPORTS FOR SEPTEMBER & OCTOBER 2003, (3) BUDGET AMENDMENT.** Commissioner McMahan moved to approve the Consent Agenda. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

**ADMINISTRATIVE REPORTS**

**(4) CHAIRMAN’S REPORT**: None.

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

(6) **COUNTY MANAGER'S REPORT**: The Dept. of Social Services Board has invited the Commissioners to a groundbreaking ceremony for the new DSS site on December 9<sup>th</sup>, 4:00 p.m.

### **NEW BUSINESS**

(7) **SCATTERED SITE HOUSING GRANT**: Action taken on 11/18/03.

(7A) **LIBRARY TASK FORCE REPORT**: Bill Mauldin, Mountain Mediation Facilitator, reported that the task force has been working diligently on a feasibility study. The task force has been meeting every two weeks and has had assistance from the Jackson County Library, Fontana Regional Library and Southwestern Community College. The task force reviewed three prior library studies. Time has been allowed for citizen input at every meeting. The task force distributed surveys to the public and followed up with a public meeting at which 70-80 citizens were present. Joe Rossano, Chairman of the Task Force, reported that six weeks ago a Request for Qualifications was placed in the Asheville and Sylva newspapers for a consultant. Eight responses were received. The task force reviewed those responses and selected two who made a presentation at its meeting on November 25, 2003. The task force recommended Harvard Jolly Clees Toppe Architects of St. Petersburg, Florida. This firm has extensive experience in college and public libraries. The cost will be \$40,000. The 502 surveys that were returned reflected several trends: expand library hours especially on weekends, the need for meeting rooms and cultural events. The surveys revealed the majority of citizens were in favor of a joint library at SCC.

Commissioner Crawford moved to hire Harvard Jolly Clees Toppe Architects as consultants. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote.

(8) **AGING DEPARTMENT REQUEST FOR FUNDS**: Commissioner Crawford moved to appropriate \$5,000 from contingency to Project CARE. Commissioner Cowan seconded the Motion. This should not be considered an annual appropriation. Motion carried by unanimous vote.

(9) **OLD QUALLA SCHOOL ASBESTOS REMOVAL BIDS**: Two bids were received: Global Environmental Services, Inc. - \$14,849 and NEO Corporation - \$15,761.50. The Qualla Fire Dept. plans on using the old school for training purposes. Therefore, the asbestos must be removed. Commissioner Crawford moved to award the bid to Global Environmental Services, Inc. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

**(10) OLD CANADA SCHOOL ASBESTOS REMOVAL BIDS:** Two bids were received: Global Environmental Services, Inc. - \$45,219.00 and NEO Corporation - \$50,938.00. Commissioner Cowan moved to award the bid to Global Environmental Services, Inc. Commissioner Madden seconded the Motion. Motion carried by unanimous vote.

**(11) DISPOSAL OF OBSOLETE COMPUTERS & SOFTWARE:** Commissioner Madden moved to approve Mr. Westmoreland's recommendation as outlined in his November 6, 2003 Memorandum. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

**(12) UNUSED ANNUAL LEAVE POLICY:** Mr. Westmoreland was requested to do an analysis of the impact of the proposed transfer of leave policy, if it were retroactive, for all eligible employees. The review indicates that the policy has not been administered uniformly over the years. The county presently has 24 employees who would be affected by the policy. Of that number, 16 were given credit for half of their previous employment consistent with the policy; however, 3 employees were given full credit for their previous service and five employees were given no credit. All totaled, 125 annual leave days would have to be restored to make the proposed policy retroactive to all eligible employees.

Commissioner McMahan moved that the Personnel Policy be amended as follows:

*"Jackson County will allow each new employee to have a direct transfer from other state or local government agencies to accrue annual leave at 100% for each full year of directly related experience with the state or local government agency".*

He further moved that the policy be retroactive to those employees who have not benefited from the previous policy.

Commissioner Madden seconded the Motion. Motion carried by unanimous vote.

**(13) RESOLUTION – ABANDONMENT OF KNOB CREEK ROAD**  
**(SR1148):** Mr. Trine has withdrawn the petition.

**(14) RESOLUTION – COMMUNITY TRANSPORTATION FUNDING**  
**(R03-27):** Action taken on 11/18/03.

**(15) RESOLUTION – SMOKY MOUNTAIN CENTER LOCAL BUSINESS PLAN (R03-28):** Mr. Westmoreland was requested to research which other counties of the seven county catchment area had adopted the Resolution. His research revealed that Haywood, Clay and Swain Counties have adopted the Resolution. Commissioner Crawford moved to adopt the Resolution. Commissioner McMahan seconded the Motion. Motion carried by a vote of 4 –1 with Commissioner Cowan abstaining.

**(16) RESOLUTION – STOP EPA'S "ROUTINE MAINTENANCE"**  
**RULING (R03-29):** Action taken on 11/18/03.

**(17) RESOLUTION – COMPREHENSIVE TRAFFIC STUDY & PLAN FOR NC 107 (R03-30):** Action taken on 11/18/03.

**(18) RESOLUTION – ABANDONMENT OF ROADS POLICY (R03-31):**  
After ascertaining the publication costs from the Crossroads Chronicle and The Sylva Herald for the Knob Creek Road legal notice, it was recommended that the costs be changed from “\$400.00” to “\$150.00”, which includes a \$50.00 administrative fee. Attorney Holt will revise the Resolution for presentation at the December 9th meeting.

**(19) GRANT PROJECT ORDINANCE:** Action taken on 11/18/03.

**(20) TIE BREAKER PROVISIONS FOR STAGGERED TERMS OF COMMISSIONERS:** Attorney Holt will draft a policy for presentation at the December 9<sup>th</sup> meeting.

**(21) APPOINTMENT TO TWSA BOARD OF DIRECTORS:** Action taken on 11/18/03.

**(22) SMOKY MOUNTAIN HIGH SCHOOL, SCIENCE BUILDING BIDS:**  
Four single-prime bids were received:

Aldridge Brothers	\$2,960,000
H & M Constructors	\$2,867,000
Mountain Shore Construction	\$2,907,000
Western Builders	\$3,087,000

Mr. Westmoreland recommended that the bid be awarded to H & M Constructors. Commissioner Cowan moved to approve the recommendation. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote.

**(23) APPOINTMENT OF CHAIR AND VICE CHAIR TO THE PLANNING BOARD:** Commissioner Crawford moved to appoint Bob Ginn as Chair and Sue Bumgarner as Vice Chair of the Planning Board. Chairman Buchanan stated that the Board had been presented a second letter recommending that either Bob Ginn or Brandon Stephens be considered for Chair and Sue Bumgarner or Mike Moore be considered for Vice Chair. He stated that each Commissioner would have 3 votes (2 for first choice and 1 for second choice) for Chair and 3 votes (2 for first choice and 1 for second choice) for Vice Chair, the Clerk would tabulate the votes. Commissioner Crawford withdrew her Motion. After tabulating the votes, the Clerk announced that Bob Ginn received the most votes for Chair and Mike Moore the most votes for Vice Chair.

Commissioner McMahan moved to appoint Bob Ginn as Chair and Mike Moore as Vice Chair of the Planning Board. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

**(24) FEE SCHEDULE FOR CASHIERS COMMERCIAL AREA LAND DEVELOPMENT ORDINANCE:** Linda Thomas, Planning Coordinator, presented a proposed schedule of fees that would cover a portion of the costs involved in the review of various requests and plans presented to the Planning Dept. The proposed fees are:

<b>Review/Request</b>	<b>Proposed Fee</b>
Temporary Use Permit	\$ 50.00
Sign Permit	50.00
Site Plan Review (renovation, addition, expansion of existing bldg.)	100.00
Site Plan Review (new bldg.)	200.00
Conditional Use Permit:	
Site less than 2 acres	300.00
Site 2 to 5 acres	500.00
Site more than 5 acres	750.00
Variance	100.00
Administrative Appeal	150.00
Rezoning Request:	
Less than 2 acres	200.00
2 to 5 acres	300.00
More than 5 acres	500.00

Commissioner Cowan moved to adopt the Fee Schedule as recommended. Commissioner Madden seconded the Motion. Motion carried by unanimous vote.

**(25) MUNICIPAL GRANT APPLICATIONS**: Action taken on 11/18/03.

**(26) NICHOLS PROPERTY**: Action taken on 11/18/03.

**(27) 210<sup>th</sup> NATIONAL GUARD UNIT CHRISTMAS GIFT**: The families of the troops were asked what the troops needed most and they responded “phone cards”. Russ Bauer, Veterans Officer, has identified six Jackson County soldiers serving in Iraq with the 210<sup>th</sup>. However, there may be other Jackson County residents serving in other units. It was recommended that \$2,000 be appropriated from the contingency fund for the purchase of phone cards. Russ Bauer will ascertain the number of phone cards needed and equally divide the allocated funds. Commissioner Crawford moved to approve the recommendation. Commissioner Madden seconded the Motion. Commissioner Cowan suggested that this issue be revisited after the holidays to ascertain if it needs to be continued. Motion carried by unanimous vote.

Commissioner McMahan moved that the meeting be adjourned. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote and the meeting adjourned at 7:10 p.m.

Attested By:

Approved:

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Evelyn B. Baker  
Clerk to the Board

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Stacy Buchanan, Chairman