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Posted By: Evelyn Baker
Witness: _____

**MINUTES OF THE REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
FEBRUARY 15, 2005**

The Jackson County Board of Commissioners met in Regular Session on Tuesday, February 15, 2005, at 7:00 p.m., 401 Grindstaff Cove Road, Room A201, Sylva, North Carolina.

Present: K. Stacy Buchanan, Chairman
Roberta Crawford, Vice Chair
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 #25 Bids for Fairview Water Main Extension and #26 Dept. on Aging. Commissioner Crawford moved to approve the amended Agenda. Commissioner Cowan seconded the Motion. Motion carried.

MINUTES: Commissioner Madden moved to approve the Minutes of the Regular Meeting of February 8, 2005. Commissioner Crawford seconded the Motion. Motion carried.

INFORMAL COMMENTS BY THE PUBLIC: Janet Mull stated that the county needs jobs and no one appears to be doing anything to bring an industry to the county. Mickey Henson inquired about the status of a proposal he had submitted regarding the SMH Stream Mitigation Project. Chairman Buchanan stated that the stream mitigation plan must go through Cort Architecture who is in charge of the SMH projects. Mr. Westmoreland was directed to contact Mr. Cort and request that he contact Mr. Henson. However, Victor Lofquist, Project Engineer, is working as a subcontractor to Cort Architecture. Mr. Lofquist will be making a recommendation to Mr. Cort on whether the county will do a buy-out or mitigation. Mr. Lofquist is in direct contact with the Corps of Engineers, DOT and Water Quality officials who will make a decision regarding permitting. The design and consultation is a professional service and the actual stream mitigation, if in fact the county follows that route, is a contractual service managed through the bid process.

CONSENT AGENDA

(1) FINANCE & TAX COLLECTOR'S REPORTS FOR JANUARY 2005 and BUDGET AMENDMENTS: Commissioner Cowan moved to approve the Consent Agenda. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

ADMINISTRATIVE REPORTS

(2) CHAIRMAN'S REPORT: None.

(3) COMMISSIONERS' REPORT: Commissioner McMahan was sworn in as a member of the TWSA Board of Directors.

(4) COUNTY MANAGER'S REPORT: None.

(5) REGULAR MEETING DAY CHANGE: Chairman Buchanan requested that Regular Board meetings be changed from Tuesday to the first and second Monday of each month commencing at 6:00 p.m. Attorney Holt stated he had a conflict with the second Monday of each month. Chairman Buchanan revised his request and stated that Regular Board meetings will be scheduled on the first and third Monday of each month at 6:00 p.m.

(6) ECONOMIC DEVELOPMENT COMMISSION (EDC) AUDIT REPORT: A Special Meeting has been scheduled for Tuesday, February 22, 2005, 6:00 p.m., Room A227, to review Mr. Crisp's recommendations.

(7) SHERIFF'S DEPT. REPLACEMENT OF WEAPONS: Attorney Holt reported that his research revealed that the county is authorized to sell the handguns to the Jackson County Sheriff's Office Deputies as long as the total sales price does not exceed \$30,000; however, a notice must be placed in the newspaper and he will direct the Finance Director concerning the notice. Commissioner Madden moved to authorize the Sheriff's Office to purchase 29 new handguns and declare the 29 used handguns surplus and sold to Sheriff's Office Deputies for the sum of \$300.00 each to be applied to the cost of the new handguns. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

(8) CONGRESSMAN TAYLOR'S REQUEST FOR OFFICE SPACE: Rebecca Heppel reported her research reveals that since 1998, over \$15 million dollars has been appropriated to Jackson County. WCU has received over three-fourths of that amount. Congressman Taylor's office facilitates meetings between local citizens and organizations such as Social Security, Medicaid, IRS, and the Veterans Administration all of which benefit Jackson County citizens. Only 150 sq. ft. is needed for a reception area and conference room in a well known building that is handicapped accessible. Mr. Westmoreland stated that the old jail has temporary handicap accessibility, but would need to be made more permanent. Because the building is a historic site it maybe eligible for grants. He suggested that Congressman Taylor be temporarily permitted to use the old

Board of Elections offices when it relocates to the Justice Center. The Board of Elections office should be moved within the next thirty days. Commissioner McMahan stated he was not sure if the Jackson County Genealogical Society is interested in using a portion of the old jail, but he will contact them. Commissioner McMahan moved to authorize Congressman Taylor to temporarily occupy the old Board of Elections office. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

(9) LEAD AGENCY FOR HCCBG FUNDING: Commissioner Cowan moved to appoint the Jackson County Department on Aging as lead agency for the completion of the Block Grant planning process and preparation of the required Block Grant documents. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

(10) LICENSE AGREEMENT FOR OCCUPANCY & USE OF TVA LAND: Mr. Westmoreland reported that he had contacted Mr. Darrell Cuthbertson of TVA concerning conveyance of its interest in East LaPorte Park to Jackson County. Mr. Cuthbertson indicated that the TVA Board would not want to sell the property, but would probably grant the county a permanent easement. However, it will take approximately six months to finalize the paperwork, and Mr. Cuthbertson requested that the county agree to participate in the lease and when the permanent easement has been approved, then TVA will replace the lease arrangement. Commissioner Madden moved to approve the license agreement. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

(11) GROUNDS MAINTENANCE SERVICE FOR COUNTY COMPLEX AT CASHIERS: Commissioner Crawford moved to authorize two additional Grounds Maintenance Worker I positions. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote.

(12) AUDIT – FY2004-2005 BY DIXON HUGHES, PLLC: Commissioner Cowan moved to authorize the Chairman to execute a Letter of Engagement for the firm of Dixon, Hughes, PLLC, to audit the county's financial statements as of and for the year ending June 30, 2005. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote.

(13) SMH – SCIENCE BUILDING CONSULTANT'S FEE: Commissioner Cowan moved to approve the consultant (Reece, Noland & McElrath, Inc.) fee in the amount of \$16,200. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote

(14) SMH – SCIENCE BUILDING CHANGE ORDER G-3: Commissioner Cowan moved to approve the change order in the amount of \$17,254. Commissioner Madden seconded the Motion. Motion carried by unanimous vote.

(15) JACKSON COUNTY ORDINANCE AUTHORIZING A CEMETERY BOARD: A public hearing was held on February 15, 2005 at 6:30 p.m. No objections were made. Commissioner Crawford moved to adopt the Jackson County Ordinance Authorizing a Cemetery Board. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(16) JACKSON COUNTY CEMETERY BY-LAWS: Chairman Buchanan recommended that the last sentence of Article II, Section 1. "*All terms shall be for a period of four years, except the initial appointments, which will be two and four year terms to stagger terms of the Cemetery Board*" be moved and added as the last sentence of Article III. Commissioner McMahan moved to approve the amended Jackson County Cemetery By-Laws. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

(17) APPOINTMENT TO JACKSON TRAVEL & TOURISM BOARD: By letter, the Jackson County Chamber of Commerce Board recommended that Wanda Herren be re-appointed to the TTA Board. Commissioner Cowan moved to re-appoint Wanda Herren to a 3-year term on the Jackson Travel & Tourism Board. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote.

(18) APPOINTMENTS TO JACKSON CEMETERY BOARD:

- (a) Chairman Buchanan nominated Alvin Frady, Jr. to a 4-year term.
- (b) Commissioner Cowan nominated Reg Moody, Jr. to a 4-year term.
- (c) Commissioner McMahan nominated Ronnie Riddle to a 4-year term.
- (d) Commissioner Madden will notify the Clerk of his nomination (2-year term).
- (e) Commissioner Crawford will notify the Clerk of her nomination (2-year term).

Chairman Buchanan moved to appoint the named nominees to 4-year terms and Commissioner Madden's and Crawford's nominees to 2-year terms. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

- (f) Historical Society will notify the Board of its nomination (2-year term).
- (g) Genealogical Society will notify the Board of its nomination (2-year term).

(19) APPOINTMENT TO AIRPORT AUTHORITY: The Board was submitted a transcript of the Airport Authority's February 9, 2005 meeting. The Clerk read the following names as recommended in the transcript: Ed Reilly, Dennis Wilkey, Tom McClure, John Wittekind, Gary Boyer, Dorothy Gamble, and Alston Macon. Commissioner McMahan moved to appoint Ed Reilly to the Airport Authority to fill the unexpired term (expiring August 2006) of Tom McClure. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

(25) FAIRVIEW WATER MAIN EXTENSION BIDS: Mr. Westmoreland reported that Lofquist & Associates, Inc. submitted a summary of the bids. Stillwell Enterprises submitted the lowest bid, \$197,110.50 as a Base Bid and Option #1. If water to the new Science Building is needed at an earlier date, Stillwell Enterprises would be authorized to install a temporary water main (bid Alternate #2 - \$8,287.50) as a change order. The bid is under the budgeted amount. Commissioner Madden moved to award the

bid to Stillwell Enterprises. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(26) AGING DEPT.: Helen Bryson, Director of Aging Dept., appeared before the Board during a Work Session earlier today and justified the need for a permanent part-time position in her department. Commissioner Cowan moved to approve the position. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote.

There being no further business, Commissioner Crawford moved that the meeting be adjourned. Commissioner Cowan seconded the Motion. Motion carried and the meeting adjourned at 8:00 p.m.

Attested By:

Evelyn B. Baker
Clerk to the Board

Approved:

K. Stacy Buchanan, Chairman

