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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
SEPTEMBER 17, 2007**

The Jackson County Board of Commissioners met in Regular Session on September 17, 2007, at 6:00 p.m., 401 Grindstaff Cove Road, Room A201, Sylva, North Carolina.

Present: Brian T. McMahan, Chairman
Joe Cowan, Vice Chair
Tom Massie, Commissioner
William Shelton, Commissioner
Mark Jones, Commissioner
Kenneth L. Westmoreland, County Manager
W. Paul Holt, County Attorney
Evelyn B. Baker, Clerk to the Board

Chairman McMahan called the meeting to order.

AGENDA: Chairman McMahan moved to amend the Agenda by adding Justice Center Parking Lot Expansion and Second Meeting in October. Commissioner Jones seconded the Motion. Motion carried.

MINUTES: Commissioner Cowan moved to approve the Minutes of a Special Meeting of September 4, 2007, Regular Meeting of September 4, 2007, and Minutes of a Special Meeting of September 6, 2007. Commissioner Shelton seconded the Motion. Motion carried.

INFORMAL COMMENTS BY THE PUBLIC: Brad Smith of Brad Smith Associates with offices in Melbourne, Florida and Glenville, NC, stated that his firm has researched the 441 Corridor Study cost concerns and found there are a number of grant opportunities for partners to work with the county, such as NCDOT, Federal Highway Administration, Dept. of Commerce, Southwestern Commission, Cherokee Preservation Foundation, Highway RPO funds, etc.

(1) **CHAIRMAN'S REPORT:** Chairman McMahan reported Duke Energy's emergency services dam failure tabletop exercise is scheduled on September 20, 7:00 p.m. at the Ramsey Center.

(2) **COUNTY MANAGER'S REPORT:** Mr. Westmoreland reported that because of the impending TWSA moratorium for allocation of treatment capacity, the county has been requested to present to TWSA the number of pending county projects, all of which will require necessary fees to be paid in advance. The county has made payment on behalf of a new Library, Aging Facility, Rescue Squad Building, SMH

athletic fields, and Fairview Kindergarten facility. The county did not make payments for a SMH Fine Arts Building and new gym because those two facilities have not been included in the county's approved capital improvements plan.

(3) SCHEDULE OF VALUES FOR REVALUATION 2008: Bobby McMahan, Tax Administrator, presented statutory proposed Schedule of Values for 2008. All counties are required to adopt a Schedule of Values to be effective at the beginning of each revaluation year. A public hearing was scheduled on October 1, 2007 at 5:30 p.m. The Schedule must be considered and adopted by October 15.

(4) FINANCE & TAX COLLECTOR REPORTS FOR AUGUST 2007:

Darlene Fox, Finance Director, presented the following highlights:

General Fund Revenues Collected to Date	\$ 7,434,873.00
General Fund Expenditures to Date	\$ 7,781,716.00
Ad Valorem Tax Collected	\$ 3,471,232.00
Motor Vehicle Tax Collected	\$ 129,448.00
Prior Year Tax Collected	\$ 187,628.00
Sales & Use Tax for June 2007	\$ 956,437.00
Landfill Disposal Fees	\$ 159,361.00
Contingency Balance	\$ 117,167.32

(5) BUDGET AMENDMENTS:

Planning Dept	\$ 29,967.00
General Fund (transportation)	\$ 172,048.00
General Fund	\$ 5,172.00

Smoky Mountain Center Quarterly Report ending June 30, 2007:

Operating budget	\$ 19,933,948.00
Actual revenues	\$ 19,790,945.00
Actual expenditures	\$ 15,021,909.00
Net income	\$ 4,769,036.00

Commissioner Cowan moved to approve the August 2007 Finance & Tax Collector Reports and Budget Amendments. Commissioner Massie seconded the Motion. Motion carried by unanimous vote.

(6) PLANNING DEPT. FEE SCHEDULE: Linda Cable, Planning Director, recommended that a \$20.00 Land Development Compliance fee for additions be limited to 500 sq. ft. or more which is consistent with building inspections' fees. Commissioner Massie moved to approve a \$20.00 land development compliance fee for additions exceeding 500 sq. ft. Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.

(7) ANIMAL CONTROL ORDINANCE: A public hearing was held on September 17, 2007 at 5:00 p.m. and based on amendments recommended by citizens at the public hearing, this issue was carried over.

(8) ORDINANCE PROHIBITING REGISTERED SEX OFFENDERS IN PARKS OR RECREATION FACILITIES: A public hearing was held on September 17, 2007 at 5:30 p.m. and no public comments were made. Commissioner Jones moved to adopt the Ordinance. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(9) LIBRARY STUDY REPORT: Ron Smith of McMillan Smith was requested to conduct a feasibility study of the Historic Courthouse area as a possible site for a new library. The report reflects a new library would consist of a two-story addition with two parts - the main library building and a connector/lobby area located between the old and the new. The new building would be built to reflect the look of the courthouse by repeating its architecture. Site work would include new parking and pedestrian access in addition to new site lighting, underground utilities and demolition of the old jail. The entire library complex would be approximately 26,000 sq. ft. with the ability to expand to 35,000 sq. ft. if the courthouse is utilized for meeting spaces which would reduce the requirement of new square footage to approximately 20,000 sq. ft.; however, the addition of 20,000 sq.ft. to the courthouse will make future additions more complicated at the site thus increasing the cost per square foot. The estimated construction costs, including site work, would be \$6,077,779. The estimate does not include furniture, fixtures, environmental studies, architectural fees, renovations to the courthouse, etc. A decision concerning a library site will be considered at the next meeting.

(10) US 441 CORRIDOR STUDY CONSULTING CONTRACT: Commissioner Massie moved to approve Brad Smith Associates, Kimley-Horn & Assoc. and LandDesign in order of priority and to authorize Mr. Westmoreland to negotiate fees with the companies in the priority established. Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.

(11) SOLID WASTE TRANSFER FACILITY AT MINERAL SPRINGS EXPANSION STUDY: Chairman McMahan moved to award the engineering services study to either Municipal Engineering Services or Joyce Engineering in priority order and authorize Mr. Westmoreland to negotiate fees. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(12) TOWN OF DILLSBORO – CDBG: Mr. Westmoreland reported that the Town of Dillsboro has submitted a request to the County that Joan Stillwell, Community Development Director, undertake the work of Dillsboro's Community Block Grant which consists of replacing three mobile homes with stick-built homes and improvements of sewer lines to those homes. Administrative funds provided for in the grant would be forwarded to the county to supplement the program. Commissioner Massie moved to approve the request. Commissioner Jones seconded the Motion. No salary supplement will be made. Motion carried by unanimous vote.

(13) PERSONNEL POLICIES/CLASS & COMPENSATION STUDY: Carry over.

(14) **ANIMAL CONTROL APPEALS BOARD APPOINTMENTS:** Carry over.

(15) **JUSTICE CENTER PARKING LOT EXPANSION:** Mr. Westmoreland stated that Parker Paving submitted a proposal for steps and landing from the lower to upper parking at a cost of \$12,000.00. Chairman McMahan moved to authorize the proposal. Commissioner Shelton seconded the Motion. Motion carried by a vote of 4 – 1 with Commissioner Cowan voting “nay”.

(16) **OCTOBER MEETING DATE:** Mr. Westmoreland stated that the Fairview Kindergarten facility bids will not be opened until October 17. In order to expedite the project, he recommended that the bids be considered as quickly as possible. A Special Meeting to consider the bids was scheduled on October 22 at 9:00 a.m.

Chairman McMahan moved that the Board go into closed session pursuant to G.S. 143-318(a)(3) Legal and G.S. 143-318.11(a)(6) Personnel. Commissioner Shelton seconded the Motion. Motion carried.

Chairman McMahan called the open session back to order and reported no action or votes were taken in closed session.

There being no further business, Commissioner Cowan moved to adjourn the meeting. Commissioner Jones seconded the Motion. Motion carried and the meeting adjourned at 9:15 p.m.

Attest:

Evelyn B. Baker, Clerk

Approved:

Brian Thomas McMahan, Chairman

