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Posted By: Evelyn Baker
Witness: _____

**MINUTES OF THE REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
APRIL 3, 2006**

The Jackson County Board of Commissioners met in Regular Session on April 3, 2006, at 6:00 p.m., 401 Grindstaff Cove Road, Room A201, Sylva, North Carolina.

Present: Brian T. McMahan, Chairman
Roberta Crawford, Vice Chair
Joe Cowan, Commissioner
Conrad Burrell, Commissioner
Eddie Madden, Commissioner
Kenneth L. Westmoreland, County Manager
W. Paul Holt, Jr., County Attorney
Evelyn B. Baker, Clerk to the Board

Chairman McMahan called the meeting to order.

AGENDA: Commissioner Madden moved to approve the Agenda. Commissioner Crawford seconded the Motion. Motion carried.

MINUTES: Commissioner Burrell moved to approve the Minutes of the Budget Work Session of March 13, 2006 and Regular Meeting of March 20, 2006. Commissioner Crawford seconded the Motion. Motion carried.

INFORMAL COMMENTS BY THE PUBLIC: Nola Brown of Tuckaseegee stated she is concerned for her son's future because of development which will have a tremendous negative impact on the area. She suggested alternatives such as homestead exemptions and imposing impact fees for second homes. She urged the Board to do something to preserve the county.

Marie Leatherwood of Sylva stated she was very disappointed because she was not given time on the Agenda.

(1) FINANCE & TAX COLLECTOR REPORTS FOR MARCH 2006:

Darlene Fox, Finance Director, presented the following highlights:

<u>General Fund Revenues Collected to Date</u>	<u>\$ 32,733,507.94</u>
<u>General Fund Expenditures to Date</u>	<u>\$ 28,482,498.00</u>
<u>Ad Valorem Tax Collected</u>	<u>\$ 19,741,157.62</u>
<u>Motor Vehicle Tax Collected</u>	<u>\$ 644,476.57</u>
<u>Sales & Use Tax for January 2006</u>	<u>\$ 1,080,501.43</u>
<u>Landfill Disposal Fees Collected</u>	<u>\$ 1,153,972.85</u>
<u>Contingency Balance</u>	<u>\$ 76,662.57</u>

(2) BUDGET AMENDMENT:

<u>General Fund</u>	<u>\$ 734,311.00</u>
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(3) CHAIRMAN'S REPORT: Chairman McMahan reported:

- (a) He, Commissioner Burrell and Mr. Westmoreland attended the Rural Planning Organization and Region A meetings on March 27th.
- (b) Reminded the Board that the Sylva Downtown Assoc. will be hosting a presentation by Meg Dees, Asst. Director of the N. C. Main Street Program, at 5:30 pm on April 11th followed by the joint meeting with municipalities at 6:00 pm.
- (c) The NCACC Regional District Meeting is scheduled on April 12th, 9:00 -12:00, in Asheville.

(4) COMMISSIONERS REPORT: None.

(5) COUNTY MANAGER'S REPORT: None.

(6) PLANNING DEPT. REPORT: Linda Cable, Planning Coordinator, submitted a written report which reflects that during the month of March five erosion control permits were issued along with one Cashiers Sign permit and one Off Premise Sign permit. She also presented a Building Inspections Quarterly Permit Report for the period of January 1 – March 30, 2006.

(7) CASHIERS ANNEX: Mr. Westmoreland stated that he had met with Paula Carden, Health Dept. Director, and the environmental health satellite office should be operational no later than the middle of May. Apparently there was a misunderstanding about personnel and equipment which has been resolved. The environmental health office will be open the same office hours as the building inspections office.

(8) CHAF QUARTERLY REPORT: Joan Stillwell, Community Development Director, submitted the January – March 2006 written quarterly report which states that four homes remain on the list for replacement and one home remains on the list for repair.

(9) ROAP PROGRAM APPLICATION: A public hearing was held on April 3, 2006 at 5:45 p.m. and no objections were made. In order to file a timely application, Chairman McMahan suspended the rules and Commissioner Burrell moved to approve the program application. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(10) PROCLAMATION HONORING WCU FACULTY & STAFF: The Proclamation is an annual recognition by the county to WCU. Chairman McMahan suspended the rules and Commissioner Crawford moved to approve the Proclamation. Commissioner Burrell seconded the Motion. Motion carried by unanimous vote.

(11) CASHIERS COMMERCIAL AREA LAND DEVELOPMENT ORDINANCE AMENDMENTS: A public hearing on the proposed amendments is scheduled on April 17, 2006 at 5:45 p.m.

(12) RESOLUTION (R06-07) OPPOSING SALE OF FOREST SERVICE LANDS: This Resolution is to inform the federal government that Jackson County is opposed to the sale of forest service lands located in the county.

(13) CRIMINAL HISTORY CHECK ORDINANCE (O06-01): Mr. Westmoreland stated historically the county has obtained background checks through DCI and the SBI. Those agencies have requested that in the future such checks be done by virtue and authorization of the Commissioners through an Ordinance allowing designated persons to make requests and setting a process and stipulations for safeguards to the individuals involved and make sure that information is not misapplied or used improperly. The language in the proposed Ordinance has been approved by the state agencies. Chairman McMahan suspended the rules and Commissioner Crawford moved to adopt the Ordinance. Commissioner Burrell seconded the Motion. Motion carried by unanimous vote.

(14) APPOINTMENTS TO SOLID WASTE ADVISORY BOARD: The terms of Glenn Liming, Darrell Fox and Richard Wilson expire on April 21, 2006.

Commissioner Burrell moved that the Board go into Closed Session pursuant to G. S. 143-318.11(a)(3) Legal and G. S. 143-318.11(a)(5) Real Property. Commissioner Crawford 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.

Chairman McMahan moved to amend the Agenda by adding Thomas McClure et al vs. County of Jackson lawsuit. Commissioner Crawford seconded the Motion. Motion carried.

(15) THOMAS McCLURE et al vs. COUNTY OF JACKSON LAWSUIT: Commissioner Crawford moved to authorize Attorney Holt to file the appropriate appeals. Commissioner Burrell seconded the Motion. Motion carried by unanimous vote.

There being no further business, Commissioner Cowan moved that the meeting be adjourned. Commissioner Crawford seconded the Motion. Motion carried and the meeting adjourned at 8:40 p.m.

Attested By:

Approved:

Evelyn B. Baker
Clerk to the Board

Brian Thomas McMahan, Chairman

