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Posted By: Evelyn Baker
Witness: _____

**MINUTES OF THE REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
JUNE 19, 2006**

The Jackson County Board of Commissioners met in Regular Session on June 19, 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
 Evelyn B. Baker, Clerk to the Board
Absent: W. Paul Holt, Jr., County Attorney

Chairman McMahan called the meeting to order.

AGENDA: Chairman McMahan amended the Agenda by adding SMH Practice Field. Commissioner Crawford moved to approve the amended Agenda. Commissioner Burrell seconded the Motion. Motion carried.

MINUTES: Commissioner Burrell moved to approve the Minutes of the Special Meeting of May 30, 2006, Public Hearing of June 5, 2006 and Regular Meeting of June 5, 2006. Commissioner Cowan seconded the Motion. Motion carried.

INFORMAL COMMENTS BY THE PUBLIC: Dewayne Pruett stated that his house is located near the Jackson County Airport and he is concerned about a large mud slide on his property. He presented the Board with a copy of a Geological Survey from the N. C. Division of Land Resources dated February 23, 2006 which states that there is a public safety hazard present and future slide concerns with the airport. He stated he had also sent a copy of the Geological Survey to Airport Authority Board members Tom McClure and Jim Rowell. He stated he has attempted to contact the Airport Authority Board on several occasions; however, no one has returned his calls. He requested the county's assistance in obtaining help from the Airport Authority.

(1) FINANCE & TAX COLLECTOR REPORTS FOR MAY 2006 and BUDGET AMENDMENTS: The following Budget Amendments were added:

General Fund	\$ 414,855.00
General Fund	\$ 50,000.00
General Fund	\$ 41,635.19
Capital Reserve Fund	\$ 8,000.00
General Fund	\$ 369,555.00
Cashiers Library Project Fund	\$ 77,715.00
School Improvement Fund	\$ 585,768.38

Commissioner Cowan moved to approve the Finance & Tax Collector's Reports for May 2006 and Budget Amendments. Commissioner Burrell seconded the Motion. Motion carried by unanimous vote.

(2) CHAIRMAN'S REPORT: Chairman McMahan reported:

- (a) He attended and spoke at the FERC public hearing on June 8th concerning Duke Power's Relicensing Application. The meeting was well attended by the general public.
- (b) He attended an NCACC meeting this past week. The House included Medicaid relief for the counties in its budget; however, the Senate did not.
- (c) He reminded the Board that there will be only one regular meeting in July: July 17th.

(3) COMMISSIONERS REPORT: None.

(4) COUNTY MANAGER'S REPORT: Mr. Westmoreland reported:

- (a) The site work and pad in preparation for the 24-unit elderly housing at the Webster Complex has been completed. THMO (The Haven at Mountain Oaks) has been invoiced \$120,000 for combining the housing site work with the county's. THMO's contractor is on site and plans to have the project completed by December 31st.
- (b) He received a request from the Friends of the Albert Carlton Library for consideration of the purchase of audio visual equipment at a cost of \$23,229 for the renovated meeting room. After reviewing the library budget, the \$89,000 allowance is still available.
- (c) Linda Cable has informed him that the Transportation Study Task Force is in need of two additional members. It has been suggested that one member be selected from the school system personnel. This request will be placed on the July 17th Agenda.

(5) SOLID WASTE MANAGEMENT PLAN 3-YEAR UPDATE: A Public Hearing was held at 5:45 p.m. on June 5th concerning the proposed solid waste plan 3-year update as mandated by the state. No objections were made. Mr. Westmoreland recommended that the plan be approved. Commissioner Crawford moved to approve the Solid Waste Management Plan 3-Year Update. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(6) FIRING RANGE PROPERTY – UTILITY EASEMENT: Mr. Westmoreland reported that he met on site with Ernest Guerera and a representative from Duke Energy. Duke Energy is willing to issue an easement and Mr. Guerera is willing to provide for the costs of placing the lines underground. The shooting range site does not have a current survey, thus Mr. Guerera was requested to have the boundary surveyed along with a survey of the proposed easement. After the surveys are completed, an easement will be presented to the Board for consideration.

(7) AMBULANCE CONTRACT – WESTCARE INC.: WestCare Emergency Medical Service submitted an amended contract for ambulance service for the period of July 1, 2006 through June 30, 2011 at a cost of \$300,000 per year "*to be paid in quarterly installments of \$75,000*". Mr. Westmoreland recommended that the amended contract be approved. Commissioner Burrell moved to approve the recommended amended contract. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

(8) AMBULANCE CONTRACT – GLENVILLE/CASHIERS RESCUE SQUAD, INC.: Glenville-Cashiers Rescue Squad, Inc. (GCRS) submitted a revised contract requesting the inclusion of an annual inflation adjustment factor. Mr. Westmoreland stated that the inflation adjustment factor should not be included because of the additional expenditures that the county incurs for GCRS as opposed to WestCare Ambulance Service, i.e., \$50,000 annually for maintenance and the purchase of all replacement ambulance units. Further, there was also the goal of keeping the two contracts with ambulance service providers as uniform as possible.

The contract for ambulance service is for the period of July 1, 2006 through June 30, 2010 at a cost of \$300,000 per year to be paid in equal monthly installments of \$25,000.

Mr. Westmoreland recommended that GCRS contract, without the inflation adjustment factor, be approved. In the event a financial need arises during the year, GCRS could appear before the Board and request an adjustment. A cost of living adjustment was included in the previous 4-year contract.

Brenda Stewart, Director of the GCRS, stated there is an increase in costs for vehicles, fuel, medical supplies, etc. She urged the Board to approve the revised contract which includes the inflation adjustment.

Commissioner Crawford moved to approve the revised contract that includes the inflation adjustment factor. Commissioner Burrell seconded the Motion. Motion carried by unanimous vote.

(9) HEALTH INSURANCE POLICY CHANGE: Commissioner Madden moved to adopt the Health Insurance Policy Change for New Hires Who Are Users of Tobacco Products. Commissioner Burrell seconded the Motion. Motion carried by unanimous vote.

(10) DRIVING POLICY – COUNTY VEHICLES: Chairman McMahan recommended that the proposed Driving Policy be revised to state that “invited guests who are conducting county business” can ride in county vehicles. Carry over to July 17th.

(11) FY2006-2007 BUDGET ORDINANCE (O06-02): The changes to the proposed budget are as follows:

<u>Expenditures:</u>		<u>Revenues:</u>	
Sheriff	\$ 82,348	Indian-Crisis Intervention	\$ 3,000
Jail	33,979	Investments	\$100,000
Community Table	5,000	ROD Revenues	\$ 50,000
REACH	35,000		\$153,000
Honor Guard	10,000		
Crisis Intervention – Indian	3,000		
Willetts CDC	9,307		
Planning	6,319		
Aging	2,446		
DSS	2,674		
Contingency	(37,073)		
	\$153,000		

Commissioner Crawford stated that 25 new employees have been hired in the Sheriff’s Office and Jail since 1998.

Commissioner Madden moved to adopt the FY2006-2007 Budget Ordinance. Commissioner Burrell seconded the Motion. Motion carried by unanimous vote.

(12) **PLANNING BOARD CHAIR APPOINTMENT:** Carry over.

(13) **PLANNING BOARD VICE CHAIR APPOINTMENT:** Carry over.

(14) **GREEN ENERGY PARK STEERING COMMITTEE APPOINTMENTS:**
Carry over.

(15) **LIBRARY BOARD APPOINTMENT:** Carry over.

(16) **NURSING & REST HOME ADVISORY COMMITTEE APPOINTMENT:**
Carry over.

(17) **THMO LIMITED PARTNERSHIP (THE HAVEN AT MOUNTAIN OAKS) – WEBSTER COMPLEX:** Mr. Westmoreland stated that because of the placement of the storm drain detention facility and the discovery of bad soil, it was necessary to move the senior housing site. The State Housing Finance Organization would not accept a new deed for replacement property. Thus, the county was required to execute a second deed conveying an additional .80 acres. Further, it is necessary that the county convey a joint, non-exclusive right of way to the senior housing complex. Commissioner Cowan moved to ratify the Deed dated May 18, 2006 and recorded in Book 1588 at page 460 and the Contract for Right of Way Deed dated May 18, 2006 and recorded in Book 1588 at page 462. Commissioner Burrell seconded the Motion. Motion carried by unanimous vote.

(18) **RESOLUTION (R06-13) WORKERS' COMPENSATION INSURANCE:** Mr. Westmoreland stated that the resolution is an annual participation agreement for the county to join the N. C. Assoc. of County Commissioners Joint Risk Management Agency Workers' Compensation Fund. Commissioner Crawford moved to adopt the resolution. Commissioner Madden seconded the Motion. Motion carried by unanimous vote.

(19) **EXCHANGE QUITCLAIM DEEDS WITH WAYNE MONDAY:** Mr. Westmoreland stated that the Quitclaim Deeds exchange small segments of property in order to straighten up the corner boundary of the Cashiers SCC property as it intersects onto Frank Allen Road and amounts to about 15 sq. ft. of property for both parties. The Quitclaim Deeds have been forwarded to Mr. Monday's attorney for approval.

(20) **WATER & SEWER EASEMENTS FROM U.S. POST OFFICE-CASHIERS:** Mr. Westmoreland stated that Easements for water and sewer lines have been forwarded to the U. S. Postal Service Real Estate Office in Greensboro for approval.

(21) **MEADWESTVACO QUITCLAIM DEED:** Mr. Westmoreland stated that a Quitclaim Deed removing the reverter clause has been sent to MeadWestVaCo for execution. This is for the old Canada CDC property.

(22) BLUE RIDGE RANGERS BASEBALL TEAM: Chairman McMahan stated that the Blue Ridge Rangers is an advanced youth baseball organization and a nationally recognized league. Blue Ridge Rangers is a regional team with members from various counties. Kyle Allred of Balsam is a member of the team and represents Jackson County. The team has been invited to play in the National World Series in Cincinnati, Ohio, in July and is raising funds to help offset the costs. Blue Ridge Rangers is a 501C3 non-profit organization. Chairman McMahan moved to donate \$1,000 from the Board's miscellaneous donations fund to the Blue Ridge Rangers. Commissioner Burrell seconded the Motion. Motion carried by unanimous vote.

(23) JACKSON COUNTY CEMETERY BOARD: Alvin Frady, Chairman, stated that the Cemetery Board is requesting that the county acquire, by a Quitclaim Deed, the Love Cemetery located behind the Ford Dealership and the Sonic Drive-In in order for the Cemetery Board to restore and maintain the site. It is the second oldest cemetery in Jackson County and qualifies for historical assistance since it is over 100 years old. There are approximately fourteen grave sites which include three Confederate soldiers (a father and two sons). One grave marker is dated 1780. The cemetery is approximately 30' x 50' and is enclosed by a 3' high rock wall. He stated that the cemetery has a written right of way from Highway 107; however, there is not a road directly into the cemetery. He stated that funds will be donated from several agencies and local business for the restoration work. He contacted the Town of Sylva, since the cemetery is located within its city limits, and was informed the town was not interested in maintaining the cemetery.

Chairman McMahan stated that when the Cemetery Board was appointed it was for the sole purpose of restoring and maintaining the old county home cemetery. He stated that the county attorney would need to review the records and advise the Board. Commissioner Crawford stated she had reservations concerning the county assuming the responsibility for another cemetery.

Mr. Frady requested that the Board replace one member from the Historical Society on the Cemetery Board. Carry over to July 17th.

(24) SMOKY MOUNTAIN HIGH SCHOOL PRACTICE FIELD: Commissioner Burrell stated he had been contacted by Frank Watson of the Touchdown Club concerning the condition of the SMH practice field. Mr. Watson requested that the county contribute \$15,000 towards the costs for installation of an irrigation system. Chairman McMahan stated that he contacted Ms. Nations and she informed him the irrigation system is needed, but the school board did not have the funds to pay for it. He was also informed that the irrigation system would not hinder other activities on the field, i.e., band practice, other athletic teams, and use of the field would not be restricted to the football team.

Commissioner Burrell moved to appropriate \$15,000 from the contingency fund. Commissioner Madden seconded the Motion. After discussion, the Board added a stipulation that the funds be paid directly to the Board of Education and the project be under its control and management. Further, that the Board of Education insure that the improvements be for the benefit of all student activities and not just for the exclusive use of the football program. Motion carried by a vote of 4 -1 with Commissioner Crawford voting "nay".

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)(6) Personnel. 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.

There being no further business, Commissioner Crawford moved that the meeting be adjourned. Commissioner Madden seconded the Motion. Motion carried and the meeting adjourned at 9:00 p.m.

Attested By:

Approved:

Evelyn B. Baker
Clerk to the Board

Brian Thomas McMahan, Chairman

