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Posted By: Evelyn Baker
Witness: _____

**MINUTES OF THE REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
SEPTEMBER 18, 2006**

The Jackson County Board of Commissioners met in Regular Session on September 18, 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
Evelyn B. Baker, Clerk to the Board

Absent: Kenneth L. Westmoreland, County Manager
W. Paul Holt, Jr., County Attorney

Chairman McMahan called the meeting to order and reminded the Board that action will be taken during the meeting since it is the only meeting in September.

AGENDA: Chairman McMahan added Sheriff's Dept. Second Grant Resolution, Qualla Fire Dept. Loan and Appraisal of Canada CDC Building. Commissioner Madden moved to approve the amended Agenda. Commissioner Crawford seconded the Motion. Motion carried.

MINUTES: Commissioner Burrell moved to approve the Minutes of the Public Hearing of August 17, 200, Regular Meeting of August 17, 2006, and Work Session of September 11, 2006. Commissioner Cowan seconded the Motion. Motion carried.

INFORMAL COMMENTS BY THE PUBLIC: None

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

Darlene Fox, Finance Director, presented the following highlights:

<u>General Fund Revenues Collected to Date</u>	<u>\$ 7,388,644.49</u>
<u>General Fund Expenditures to Date</u>	<u>\$ 6,387,991.67</u>
<u>Ad Valorem Tax Collected</u>	<u>\$ 3,623,669.34</u>
<u>Motor Vehicle Tax Collected</u>	<u>\$ 112,395.85</u>
<u>Sales & Use Tax for June 2006</u>	<u>\$ 738,034.44</u>
<u>Landfill Disposal Fees</u>	<u>\$ 155,280.75</u>
<u>Contingency Balance</u>	<u>\$ 143,209.00</u>

(2) BUDGET AMENDMENTS:

<u>Recreation – Capital Improvements</u>	<u>\$ 35,000.00</u>
(contribution for Canada Park from Centex Homes)	

(3) GRANT PROJECT ORDINANCE:

Scattered Site Homeowner Rehabilitation \$ 400,000.00

Commissioner Crawford moved to approve the Finance and Tax Collector's reports for the month of August, Budget Amendment, and Grant Project Ordinance. Commissioner Madden seconded the Motion. Motion carried by unanimous vote.

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

- (a) He attended the NCACC Annual Conference on September 7-9 in Forsyth County.
- (b) The Region A meeting is scheduled on September 25, 7:00 pm, Holiday Inn, Cherokee
- (c) A Special Meeting with the Library Board is scheduled on October 2, 4:00 pm.
- (d) The Green Energy Park open house is scheduled on October 6, 3:00, 5:00 pm.
- (e) A joint meeting with the municipalities is scheduled on October 10, 6:00 pm.
- (f) The grand opening for the renovated Cashiers Library is scheduled on October 14th, 11:00 am.

(5) COMMISSIONERS REPORT: None.

(6) PLANNING DEPT. REPORT: Linda Cable, Planning Coordinator, stated that the next Transportation Task Force meeting is scheduled on October 17th at 2:00 pm. Steve Beasley has been hired as a new erosion control officer. Her office has received several calls concerning junk cars. A company by the name of "Junk-my-Car" will pick up all vehicles at no cost if the owner has a valid title. She submitted a written report which reflects that during the month of August four erosion control permits have been approved and nine are under review; two Cashiers sign permits have been approved; six cell tower permits are under review.

(7) AGING DEPT. ARCHITECT FOR NEW FACILITY: Grant Tharp, Architect, has joined the firm of Cope Associates, Inc. Cope Associates, Inc. submitted a profoma of other senior facilities it has designed. Mr. Westmoreland had previously recommended that Mr. Tharp and Cope Associates, Inc. be authorized to design a facility for the Dept. on Aging. Commissioner Cowan moved to approve the recommendation. Commissioner Burrell seconded the Motion. Motion carried by unanimous vote.

(8) KUDZU PLAYERS LEASE: Carry over.

(9) JUVENILE CRIME PREVENTION COUNCIL: Capt. Steve Lillard introduced Christy Hyatt, Regional Coordinator, who has been instrumental in helping the local JCPC comply with state requirements. He stated that the JCPC is in the process of finalizing By-Laws and filling vacancies on its Board and requested that the Board of Commissioners approve the Certification in order for JCPC to receive funding. Ms. Hyatt stated that the Jackson County JCPC receives approximately \$106,000 annually for the program. A 20% local match is required. JCPC identifies the risk and needs of all youth in the county.

Commissioner Crawford moved to approve the Certification. Commissioner Burrell seconded the Motion. Motion carried by unanimous vote.

(10) SHERIFF'S DEPT. HIGHWAY SAFETY PROGRAM GRANT RESOLUTION

(R06-18): Lt. Shannon Queen presented a Resolution authorizing the Sheriff's Dept. to file an application contract as prescribed by the Governor's Highway Safety Program for federal funding in the amount of \$151,610.00. The county's appropriation will be \$24,750.00. The grant funds will be used for salaries of two fulltime traffic enforcement officers, two fully equipped cars, uniforms, and equipment. The Sheriff's Office can reapply for this grant during the next four years; however, the grant amount decreases each year so that by the fourth year the county would assume the entire cost.

Commissioner Madden moved to adopt the Resolution. Commissioner Burrell seconded the Motion. Motion carried by unanimous vote.

(11) SHERIFF'S DEPT. HIGHWAY SAFETY PROGRAM GRANT RESOLUTION

(R06-19): Lt. Shannon Queen presented a Resolution authorizing the Sheriff's Dept. to file an application contract as prescribed by the Governor's Highway Safety Program for federal funding in the amount of \$10,000.00. No funds are required from the county. These funds will be used to offset costs for a county coordinator who assists other counties in making sure all laws and procedures are followed and grant applications.

Commissioner Burrell moved to adopt the Resolution. Commissioner Madden seconded the Motion. Motion carried by unanimous vote.

(12) GREEN ENERGY PARK: Timm Muth reported that the open house is scheduled for October 6th, 3:00 – 5:00 pm. Tours of the bio-diesel facility, blacksmithing forges, and green houses will be provided. Mr. Larry Shirley, Director of the North Carolina Energy Office, will be the keynote speaker. The public will be invited to tour the facility from 5:00 – 9:00 pm at which time food vendors and live music will be on site.

He requested that the Board authorize the abandonment of Green Energy Park Road (formerly Landfill Road). A steel gate would be installed at the entrance to increase security and help protect the live gas system, ongoing construction, expensive equipment and supplies. If the road is abandoned, the county would be required to assume maintenance of the road.

(13) GREEN ENERGY PARK – BLACKSMITHING CONSULTANT: Mr. Westmoreland submitted a written report stating that Mathew Shirey, currently under contract with the county at the Green Energy Park has taken on new duties in his private capacity that prevents him from carrying out his duties as a blacksmithing consultant. As his replacement he recommended William S. Rogers of Cullowhee, a master blacksmith, under the same terms and conditions as Mr. Shirey. Timm Muth stated that Mr. Rogers has 35 years of experience and has been assisting with the installation of the blacksmithing shop.

Commissioner Crawford moved to approve the contract. Commissioner Burrell seconded the Motion. Motion carried by unanimous vote.

(14) **QUALLA FIRE DEPT.:** By letter, Attorney Holt informed the Board that BB&T has requested that additional property be added to secure the deed of trust to BB&T by the Qualla Fire Dept. The bank has requested that the land (old Qualla School) owned by the county be added as security.

Commissioner Cowan moved to approve the request. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

(15) **CANADA CDC BLDG.:**Chairman McMahan stated that MEADWESTVACO (formerly The Mead Corp.) has executed a deed conveying the former Canada CDC property to the county. The county should divest itself of the property since it is no longer needed as a community center. The Board's rules require, after a certain amount of time since the last revaluation, that county property be appraised. Thus, an independent appraisal should be made in order to establish a fair market value. Two parties have expressed an interest in the property.

Commissioner Burrell moved to authorize an independent appraisal of the property. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(16) **TRANSPORTATION STUDY TASK FORCE APPOINTMENTS:** Linda Cable, Planning Coordinator, recommended that Chuck Norris, Todd Dillard and Mark Hooper be appointed to the Transportation Study Task Force. Commissioner Crawford moved to approve the recommendations. Commissioner Burrell seconded the Motion. Motion carried by unanimous vote.

(17) **JACKSON COUNTY CEMETERY BOARD:** Carry over.

(18) **AIRPORT AUTHORITY BOARD APPOINTMENTS:** Carry over because the Airport Authority has not submitted a letter, pursuant to state statutes, recommending more than one name for appointment.

(19) **CRIMINAL JUSTICE PARTNERSHIP PROGRAM APPOINTMENTS:** Ann Melton, Clerk of Court, by letter stated that Pam Smith and Carol Ann Cope have resigned. The CJPP Board of Directors nominated Debbie Brooks to serve as designee of the District Attorney's Office, Christy Hughes to serve as a member of the business community and Lloyd Peterson to serve as a member at large.

Commissioner Burrell moved to approve the nominations. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

There being no further business, Commissioner Burrell moved that the meeting be adjourned. Commissioner Crawford seconded the Motion. Motion carried and the meeting adjourned at 7:15 p.m.

Attested By:

Evelyn B. Baker, Clerk

Approved:

Brian Thomas McMahan, Chairman

