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Posted By: Evelyn Baker
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**MINUTES OF THE REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
OCTOBER 16, 2006**

The Jackson County Board of Commissioners met in Regular Session on October 16, 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
Eddie Madden, Commissioner
Kenneth L. Westmoreland, County Manager
W. Paul Holt, Jr., County Attorney
Evelyn B. Baker, Clerk to the Board
Absent: Conrad Burrell, Commissioner

Chairman McMahan called the meeting to order.

AGENDA: Chairman McMahan added Appointments to EDC Study Task Force. Commissioner Crawford moved to approve the amended Agenda. Commissioner Madden seconded the Motion. Motion carried.

MINUTES: Commissioner Cowan moved to approve the Minutes of the Special Meeting of October 2, 2006 and Regular Meeting of October 2, 2006. Commissioner Crawford seconded the Motion. Motion carried.

INFORMAL COMMENTS BY THE PUBLIC: Jeff Carpenter, Recreation & Parks Director, introduced officials from Centex Destination Properties (Bear Lake Reserve) who presented him with a check in the amount of \$35,000 for the Canada Community Park Project. Mr. Carpenter stated these funds will be used for landscaping at the park and two 5,000 gallon water tanks for use by the Canada Volunteer Fire Dept. Further, a historical marker for the Old Canada School has been placed in the park.

Mary Jo Cobb of Tuckasegee requested the Board to assist in building a Community Center in the Tuckasegee Community.

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

<u>General Fund Revenues Collected to Date</u>	<u>\$ 8,563,115.61</u>
<u>General Fund Expenditures to Date</u>	<u>\$ 9,187,814.80</u>
<u>Ad Valorem Tax Collected</u>	<u>\$ 6,088,304.25</u>
<u>Motor Vehicle Tax Collected</u>	<u>\$ 171,883.86</u>
<u>Sales & Use Tax for July 2006</u>	<u>\$ 981,309.66</u>
<u>Landfill Disposal Fees</u>	<u>\$ 279,831.34</u>
<u>Contingency Balance</u>	<u>\$ 143,209.00</u>

(2) BUDGET AMENDMENTS:

<u>Social Services (salaries & wages)</u>	<u>\$</u>	<u>110,439.00</u>
<u>Emergency Telephone Fund (salaries)</u>	<u>\$</u>	<u>25,232.00</u>

Commissioner Madden moved to approve the Finance and Tax Collector's reports for the month of September and Budget Amendments. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

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

- (a) He attended the NCACC Annual Fall Retreat in Asheville on October 13-14;
- (b) Pathways for the Future New Addition Open House on October 25th at 11:30 am;
- (c) USDA visit to Mrs. Cora Beasley's house on October 25th, 1:30 pm, Congressman Charles Taylor, Senator Richard Burr and Senator Elizabeth Dole will also be present;
- (d) Cullowhee Fire Dept. Annual Bar-Be-Que Dinner, October 28th;
- (e) "Resolving the Energy Crisis Summit" at WCU on November 15th;
- (f) Commissioner Burrell has requested that the November 6th meeting be changed to a later date.
By consensus, the Board agreed to schedule only one regular meeting on November 20th.

(4) COMMISSIONERS' REPORTS: Commissioner Madden reported that a groundbreaking ceremony for the Cashiers Community Center project is scheduled on November 18th at 11:00 am. He thanked the Board personally, and on behalf of the Cashiers Community, for its contributions to the renovation of the Cashiers Library.

(5) COUNTY MANAGER'S REPORT: A group has been formed in Jackson County to do something on a similar basis as "Macon Voices". A public forum to hear about rapid changes in the county and how the community can influence change has been tentatively scheduled on Thursday, November 16th, 6:00 pm at the Cullowhee Valley School.

(6) COURT SECURITY TASK FORCE REPORT: Sheriff Ashe reported that in March 2005, Chief District Court Judge Danny Davis instructed every Sheriff in the 30th Judicial District to evaluate courtroom security and develop recommendations. In April 2005 a Court Security Task Force was formed. The Task Force members are: Ann Melton, Clerk of Court; Judge Brad Letts; Kim Poteet, Probation & Parole; Roy Wijewickrama, Asst. D.A.; Raymond Large, Attorney; Tommy Wheeler, County Maintenance Supervisor; Commissioners Joe Cowan and Eddie Madden; Chip Hall, Captain, Sheriff's Office; and Jeff Jamison, Sylva Police Chief. The Task Force made the following recommendations:

Immediate Needs – Phase I:

- (a) Side entrance door of Courtroom #1: Access of the door should be reversed for fire code reasons as well as to secure access from the hallway and become an emergency exit only.
- (b) Secure the first and second floors of the entire Justice Center. Allow one entrance manned at all times with a metal detector. This would require hiring an additional deputy sheriff. This entrance would be the entrance located on the east side of the building closest to the Clerk's Office. An employee entrance secured with a key card access would be located to the rear of the building on the west side closest to the Clerk's Office. All other entrances would be secured and emergency exits only.
- (c) Designate domestic violence waiting areas safely away from offenders. It was suggested that the two lawyer-client conference rooms closest to the Judge's Chambers be used for this purpose. This would require the rear hallway outside the rear courtroom entrance to be secured with key card access and one newly erected wall across the hall from the law library.
- (d) Designate employee parking at the north end of the Justice Center.

- (e) Enhance additional training for bailiffs and courtroom officers.
- (f) Designate a smoking area away from emergency exits.
- (g) Install one security camera: in each courtroom, in the waiting area outside courtrooms, in the hallway near the domestic violence waiting area, in rear parking area, outside dispatch office door, at main public entrance, outside facing front of Justice Center, and in hallway near jury assembly room.

Recommendations – Phase II:

- (a) Create additional parking in front of the Justice Center.
- (b) Relocate law library to the current District Attorney’s Office.
- (c) Relocate the District Attorney’s Office to the law library and allow for waiting area.
- (d) Relocate all non-court related offices currently housed in the Justice Center to a new County Administration Building off site from existing building.
- (e) Allow for future expansion of court offices to include the current probation offices being used as a small third courtroom.

Mike Bonfoey, District Attorney, recommended that a secure access door be erected in the hall across from the law library which will secure the domestic violence waiting area. He stated that the majority of law libraries are basically a couple of computer terminals in a small area. Only hard copies of the General Statutes are available. He suggested that District Attorneys offices have public access, but should have some security between the reception area and the individual offices.

Judge Brad Letts stated that within the last 18 months he has received threats against his life and this past week threats were made against another Judge. He stated that no one is suggesting building a new courthouse. He reported that an additional Judge will be added to this district on January 15, 2007 making a total of six District Court Judges. He recommended making space available for a third small courtroom. Further, Jackson County is one of two counties in the District that does not offer security with any type of metal detection or secured doors.

(7) AMENDMENTS TO DOMESTIC VIOLENCE PENALITIES RESOLUTION (R06-21): Commissioner Crawford moved to adopt the Resolution in support of Amendments to N.C.G.S. 15A-2000(e). Commissioner Madden seconded the Motion. Motion carried by unanimous vote.

(8) KUDZU PLAYERS LEASE: Carry over. However, the Kudzu Players will be allowed to continue use of the Historic Courthouse for another month.

(9) WHITTIER SANITARY DISTRICT: Carry over.

(10) GREEN ENERGY PARK ROAD RESOLUTION (R06-20): Commissioner Madden moved to adopt the Resolution requesting NC DOT to remove the Green Energy Park Road from state maintenance. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(11) COUNCIL ON AGING APPOINTMENT: Commissioner Cowan moved to appoint Becky Middleton, Carol Austin and Rhonda Monteith to 3-year terms on the Council on Aging. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

(12) **NURSING & REST HOME ADVISORY COMMITTEE**: Helen Bryson has agreed to serve one year if re-appointed. Commissioner Cowan moved to appoint Helen Bryson to a one-year term on the Nursing & Rest Home Advisory Committee. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

(13) **CASHIERS AREA PLANNING COUNCIL**: Carry over.

(14) **CASHIERS DESIGN REVIEW BOARD**: Carry over.

(15) **GREENWAY COMMISSION**: Commissioner Crawford moved to appoint Commissioner Joe Cowan and Linda Dickert to 3-year terms on the Greenway Commission. Commissioner Madden seconded the Motion. Motion carried by unanimous vote.

(16) **SOLID WASTE – HAULING CONTRACT BIDS**: Mr. Westmoreland reported that two components were included in the bid: (a) hauling municipal solid waste from the Transfer Station to a landfill in Georgia. Kinsland Trucking was the low bidder at \$375.00 per haul; (b) hauling recycling materials from the Transfer Station to a facility in Greenville, South Carolina. Kinsland Trucking was the low bidder at \$425.00 per haul. He recommended that the bid for hauling municipal solid waste and recycling materials be awarded to the low bidder, Kinsland Trucking. Commissioner Crawford moved to award the bid to Kinsland Trucking. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(17) **N.C. COOPERATIVE EXTENSION**: Jeff Seiler, Director, presented a Memorandum of Understanding between the County and North Carolina Cooperative Extension which serves as the structure of the cooperative relationship created between local, state and federal governments. Commissioner Cowan moved to approve the Memorandum of Understanding. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

(18) **EDC STUDY TASK FORCE**: Chairman McMahan stated that at the recent Joint Meeting with the Municipalities, Mayor Oliver, Co-Chair of the EDC, requested that each municipality, county, WCU and SCC appoint representative(s) to an EDC Study Task Force. Chairman McMahan volunteered to serve along with Mr. Westmoreland. Commissioner Cowan moved to appoint Chairman McMahan and Mr. Westmoreland to the EDC Study Task Force. Commissioner Madden 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 8:15 p.m.

Attested By:

Approved:

Evelyn B. Baker

Brian Thomas McMahan, Chairman

Clerk to the Board