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Time Posted: _____
Posted By: Evelyn Baker
Witnessed By: _____

**MINUTES OF A
REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
JANUARY 3, 2011**

The Jackson County Board of Commissioners met in a Regular Session on January 3, 2011, at 2:00 p.m., Justice & Administration Building, 401 Grindstaff Cove Road, Room A201, Sylva, North Carolina.

Present: Jack Debnam, Chairman
Doug Cody, Vice Chair
Charles Elders, Commissioner
Mark Jones, Commissioner
Joe Cowan, Commissioner

J. K. Coward, County Attorney
Evelyn B. Baker, Clerk to Board
Chuck Wooten, Interim County Manager

Chairman Debnam called the meeting to order.

AGENDA: Commissioner Elders moved to approve the Agenda. Commissioner Jones seconded the Motion. Motion carried.

MINUTES: Commissioner Jones moved to approve the Minutes of the Regular Meeting of December 20, 2010. Commissioner Cody seconded the Motion. Motion carried.

(1) CHAIRMAN'S REPORT: Chairman Debnam rescheduled the next regular meeting, due to the third Monday being a holiday, on Tuesday, January 18.

(2) COUNTY MANAGER'S REPORT: Mr. Wooten reported he has scheduled a staff meeting on January 4 and plans to visit each department over the next couple of weeks. He requested additional guidance on how to handle staff vacancies. He suggested the Board schedule a work session within the next couple of months to discuss general goals and objectives.

(3) BUDGET & PROJECT ORDINANCE AMENDMENTS: Darlene Fox, Finance Director, presented one budget amendment and one project ordinance amendment.

Motion: Commissioner Cody moved to approve the budget and project ordinance amendments. Commissioner Cowan seconded the motion. Motion carried by unanimous vote.

(4) DILLSBORO LANDFILL UPDATE: Joel Lenk of Altamont, Inc. presented an overview of the closed landfill. The landfill permit requires routine monitoring of the landfill gas along the perimeter of the landfill property, within buildings located on landfill property in addition to semiannual monitoring of groundwater and surface water quality. The county negotiated with DENR to collect additional data and modify sampling methods and procedures in an effort to demonstrate that the volatile organic compounds detected in groundwater on the landfill property does not pose a significant threat to human health and the environment. On March 5, 2010, DENR issued a letter requiring implementation of the “Assessment of Corrective Measures” process. The four assessments are:

- (a) Monitor Natural Attenuation (MNA)
- (b) Monitor Natural Attenuation and Institutional Controls
- (c) Leachate Removal
- (d) In Situ Treatment

Mr. Lenk stated the estimated costs for the remedial alternative is \$10,000 per year for a minimum of ten years (likely much longer). This option would be the most cost effective option to meet the cleanup objectives using MNA. The corrective measures are currently being implemented. DENR requires that a public meeting be held by February 10, 2011 for public comment on the proposed Assessment of Corrective Measures.

***Motion:** Commissioner Elders moved to schedule a public meeting on February 7 at 1:30 p.m. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(5) GREEN ENERGY PARK – REQUEST TO FILL VACANCY: Timm Muth, Project Manager, stated it is necessary to fill the Assistant Project Manager position. With the assistant’s help, they were able to schedule classes with over 100 local participants and the park was visited by several thousand visitors over the past five years. The assistant also helped with “on-call” problems, i.e., greenhouse heat and boiler especially during the cold months. . Currently, he is on call 24/7. He needs an assistant with extensive marketing experience. He requested authorization to advertise for an Assistant Project Manager, Grade 22.

Chairman Debnam asked if he had applied for a Rural Center grant for the past couple of years. Mr. Muth responded he applied for EPA grants for the past couple of years, but was unsuccessful; however, he has applied for a Rural Center grant, but will not know the results until later this month.

Chairman Debnam asked if there was insufficient gas from the landfill to fire the furnace for the glass blowing operation. Mr. Muth responded that the glass blowing studio uses an electric furnace. Further, during extreme cold weather, the greenhouses cannot operate on landfill gas alone and fuel oil or bio-diesel must be used.

Commissioner Cody asked about monthly income. Mr. Muth responded the combination of rents and class fees were: July \$1,753, Aug. \$2,024, Sept. \$2,106, Oct. \$3,512 and Nov. \$4,033. Commissioner Cody requested a cost analysis of the entire operation.

Chairman Debnam asked about the \$38,000 budgeted for contract labor. Mr. Muth responded those funds will be used for finishing the heat recovery system, installing a new blower on the gas extraction system, reprogramming the system, and extracting water from the gas wells. The current system does not operate as well as it should and has been a maintenance problem over the past five years.

Mr. Muth stated the park should become self-sustaining when it is completed. The life span of the landfill gas is approximately 15 years.

Mr. Wooten was directed to review the department. Carry over.

(6) NCACC LEGISLATIVE GOALS CONFERENCE: Chairman Debnam stated he would be attending the conference on January 20-21.

Motion: *Commissioner Jones moved to appoint Chairman Debnam as the county's voting delegate at the Goals Conference. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(7) DSS AUDIT: Bob Cochran, Director, submitted his response to the auditor's comments regarding segregation of duties referred to in the recent county audit. There was no finding of error or misappropriation of funds. The costs of a greater segregation of duties far out weigh the risks and he recommends maintaining the current DSS internal structure.

(8) DELINQUENT TAX COLLECTION: Beverly Buchanan, Tax Collector, stated her office sends delinquent notices continuously, sets up partial payment schedules, garnishes wages, attaches bank accounts, and sends delinquent accounts to the state for the debt set-off program; however, another option is foreclosures. There is a ten-year statute of limitation using enforcement remedies to collect delinquent taxes.

Mr. Wooten stated the current budget is based on an \$11.1 billion tax base and when compared with the FY2009-10 actual tax base, suggests the county will see a \$174 million increase or 2% in the tax base this year. The budget indicates an increase in the overall revenue by approximately \$658,000 or 2% which will require a higher tax collection rate. Last year 94.79% was collected and in order to meet the budget this year, 95.41% must be collected. For the past two years there has been a decline in the collection rate which is, more than anything, a sign of the economy. The same is true of motor vehicles - last year 85.17% was collected in actual invoiced motor vehicle taxes, this year almost 87% must be collected. The current budget is optimistic and reflects increasing revenues by \$190 million and overall revenue by \$710,957.

Mr. Wooten stated time for further research is needed in order to ascertain what options are available. He will update the Board at the next meeting and possibly have a proposal available for the first meeting in February.

(9) BANK DEPOSITORY & SIGNATURE CARDS (R11-01): Because Mr. Westmoreland was still on staff during the month of December, there was insufficient time to remove his name as a counter signatory on county bank accounts.

Motion: *Commissioner Jones moved to approve the banking resolution authorizing W. J. Debnam to be the counter signatory on county bank accounts. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(10) RESOLUTION IN SUPPORT OF NORTH CAROLINA'S CURRENT ABC CONTROL SYSTEM (R11-02): There is discussion underway in state government to privatize the ABC System. Current state law establishes a uniform system of control over the sale, purchase, transportation, manufacture, consumption and possession of alcoholic beverages. Current law also provides that profits from ABC store sales be returned to local governments and this revenue stream is a critical source of local government funding.

***Motion:** Commissioner Elders moved to adopt the resolution. Commissioner Cody seconded the Motion. Motion carried by unanimous vote.*

(11) TUCKASEIGEE WATER & SEWER AUTHORITY BOARD: Carry over.

(12) EMERGENCY FOOD & SHELTER BOARD:

***Motion:** Commissioner Elders moved to appoint Chuck Wooten to the Emergency Food & Shelter Board. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(13) WHITTIER SANITARY BOARD: Carry over.

(14) GRIEVANCE COMMITTEE:

***Motion:** Commissioner Jones moved to appoint Chuck Wooten to the Grievance Committee. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(15) GREENWAYS ADVISORY COMMITTEE: Maurice Phipps has volunteered to serve.

***Motion:** Commissioner Jones moved to appoint Maurice Phipps to a 3-year term on the Greenways Advisory Committee. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(16) PLANNING BOARD: Carry over.

(17) AIRPORT AUTHORITY BOARD: Mr. Coward stated his review of legislation and by-laws reflect the Airport Authority Board should consist of six members. He has been unable to ascertain how the number could be changed to five. Chairman Debnam introduced Mike Schoonover who has volunteered to serve, with no salary, as airport manager.

Carry over.

INFORMAL COMMENTS BY PUBLIC:

(a) Sam Lupas of Cashiers requested the Board to consider district voting and submit appropriate documentation to the State for the issue to be placed on the ballot for the next general county election.

(b) Jim Sibley, on behalf of the Cashiers Village Council, stated the Council wanted to work more closely with the Planning Dept. and Commissioners.

(c) Phillip Rogers of Glenville suggested the Board cautiously vet and select pro-growth, business entrepreneurial individuals to serve on boards and committees. Further, the perception and attitude in the southern end of the county is that TWSA is an obstacle for growth and development.

(d) Carol Odom of Cashiers stated she had never received a delinquent tax letter until January 2010 which reflected that she owed taxes for 1998 and 2000 on two vehicles. After talking with the tax collector, she was informed the 1998 taxes fell under the 10-year rule. She suggested the county explore the possibility of a coordination between the county and DMV for fees and taxes. In any event, the county should be more aggressive in collecting delinquent taxes.

(e) Jonathan Sellers of Cullowhee stated current county statistical information (median income levels) is preventing various groups and businesses in the county from obtaining federal funding/grants/loans. There are several communities with below median income levels. He requested county officials contact federal representatives and clarify the information.

PRESS CONFERENCE

There being no further business, Commissioner Jones moved that the meeting be adjourned. Commissioner Elders seconded the Motion. Motion carried and the meeting adjourned at 3:35 p.m.

Attested By:

Approved:

Evelyn B. Baker, Clerk to Board

W. J. Debnam, Chairman