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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
MAY 2, 2011**

The Jackson County Board of Commissioners met in a Regular Session on May 2, 2011, 2:00 pm, Justice & Administration Bldg., Room A201, 401 Grindstaff Cove Rd., Sylva, North Carolina.

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

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

Chairman Debnam called the meeting to order.

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

MINUTES: Commissioner Cody moved to approve the April 18 Work Session and Regular Meeting minutes of April 18, 2011. Commissioner Cowan seconded the Motion. Motion carried.

(1) PROCLAMATION – National Law Enforcement Week: Chairman Debnam presented a Proclamation to Chief Deputy Chip Hall and Major Steve Lillard of the Sheriff's Dept. proclaiming May 15-21 as National Law Enforcement Week and May 15 as National Law Enforcement Officers Memorial Day. (Also see paragraph 20).

(2) PROCLAMATION – National Nurses Week: Chairman Debnam presented a Proclamation to Katrina Coggins and Roger Coward of WestCare Hospital proclaiming May 6 – 12 as National Nurses Week. (Also see paragraph 21).

(3) COMMISSIONER REPORTS: Commissioner Elders reported that last week he was presented a Certificate of Appreciation for his 20 years of service, eight of which he served as Chairman, on the Selective Service Board. He encouraged everyone to express their appreciation to all the individuals who provide law enforcement, fire protection, rescue assistance, and those in the military.

(4) COUNTY ATTORNEY: Mr. Coward reported that he attended the Institute of Government's second session of the County/City Attorney School this past weekend.

(5) COUNTY MANAGER REPORT: Mr. Wooten reported:

- (a) **Senior Games:** He attended the 2011 Senior Games opening ceremony earlier today.
- (b) **Delinquent Taxes:** The Tax Collector will advertise 2010 delinquent taxes in the local newspaper during the first part of June.
- (c) **Stanton & Stanton:** A motion for summary ejectment will be heard before the Magistrate on May 3.
- (d) **Room Occupancy Tax:** House Bill 414 is under review in committee.
- (e) **Human Services Agencies:** Senate Bill 433 has passed in the Senate and has been sent to the House.
- (f) **Electronic Notices:** House Bill 472 is opposed by the N.C. Press Association and has been referred back to committee.
- (g) **Unemployment Rate:** The March 2011 rate for Jackson County was 9.2% as compared to the March 2010 rate of 10.6%.
- (h) **NC House Budget:** The House accepted the Governor's recommendation to reduce the county share of lottery funds to \$55.2 million which is insufficient to cover the ongoing debt service payments that are pledged from those proceeds. The county currently uses \$308,638 in lottery proceeds to offset the debt service payment associated with Fairview Elementary School improvements.
- (i) **City/County Managers Meeting:** He attended the City/County Managers meeting in Asheville last week. Most counties are trying to refrain from implementing tax increases.
- (j) **Regional Legislative Meeting:** A legislative caucus/meeting for county governments is scheduled on May 14 in Macon County.

(6) TOWN OF SYLVA – OLD LIBRARY FACILITY: Chris Matheson, Sylva Commissioner, requested the county to lease the old library facility to the Town of Sylva for use as a Police Dept. The current Police Dept. is difficult to locate and has inadequate space. The SBI and Alcohol Law Enforcement Agency also need office space in the department. Having a Police Dept. on Main Street is an ideal location. The town would be responsible for all renovations and repairs if the county would enter into a 25-year lease at a rent of \$1.00 per year. The facility would not be used as a detention center.

She stated that in 1967 an ABC Board was established for the purpose of selling alcohol from a single ABC Store in Sylva. After state mandated distributions, the remaining profits are shared on a 50-50 basis with the county. In 2006, liquor by the drink was passed by the town and police efforts increased exponentially with the enforcement of violations related to alcohol related incidents. The majority of municipalities throughout the state retain 100% of ABC profits, but the town is not requesting a change in the distribution. Further, the town has leased facilities for the Chamber of Commerce and Golden Age Center to the county for extended periods for \$1.00 per year.

Chairman Debnam stated the county will discuss the request during a Work Session.

(7) WATER RESOURCES BOARD REPORT: Rose Bauguess, Chair, stated a Water Task Force was appointed in 2009 to research the severe drought issues and develop some solutions. A Water Resources Board was subsequently appointed to carry out the recommendations of the task force. The recommendations were public education, data collection and regulation. She requested that two or three additional board members be appointed and the budget be increased. She gave an overview of the board's activities to date:

- (a) Developed a grant and awarded two Groundwater Model Tables to two county schools;
- (b) Developed an educational brochure to be distributed to well owners;
- (c) Demonstrated a Groundwater Model Table at Greening Up the Mountains for the past two years.

(8) NC ECONOMIC RECOVERY GRANT AMENDMENT (NO. 10-C-2144):

Joan Stillwell, Community Development Director, requested the Board to amend the Selection Committee's prior selections by reducing the number of recipients from 5 to 4 because other funding is no longer available. Alternates and the four clearance/reconstruction projects are as follows:

Carolyn Davis, 54 Love Oak Dr., Sylva, NC
 Betty Patterson, 24 Pigeon Lane, Sylva, NC
 Henry Stiles, 55 Mallard Lane, Sylva, NC
 Floyd Brendle, Jr./Bedell Rogers, 365 Sitton Rd., Webster, NC

Alternates:

Tammy Watkins, 33 Apollo Dr., Sylva, NC
 Robert Bennett, 445 Tobacco Rd., Cullowhee, NC
 Robert & Loretta Cross, 151 High Grove Parkway, Whittier, NC

A public hearing was held on May 2 at 1:30 p.m. and no public comments or objections were made.

Chairman Debnam asked about the selection of properties with life estates. Ms. Stillwell responded that she has improved several properties with life estates because the lien is on the property only for a period of ten years. She explained that if a recipient dies during the ten-year lien period, the heirs can place a low-income individual, relative or otherwise, in the dwelling for the balance of the ten years; however, if the heirs elect to sell the property, the balance of the lien must be paid. In any event, the property becomes the property of the heirs at the end of the ten-year period, free and clear of the lien.

***Motion:** Commissioner Cowan moved to approve the four recipients and three alternates. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(9) JUVENILE CRIME PREVENTION COUNCIL: Steve Lillard, JCPC

Chair, stated the Dept. of Juvenile Justice allocates funds to counties on an annual basis. He presented the selected programs, certification, membership list, and proposed funding for FY2011-12 in the total amount of \$238,408.00. The selected programs are Aspire Day Treatment, HIGHTS-Compass, Project Challenge, and Hawthorne Heights. The required local match is \$21,664.00.

***Motion:** Commissioner Jones moved to approve the programs, certification, funding plan and membership list. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(10) SOIL & WATER DEPT.: Mr. Wooten stated that on January 31, 2011 the long time Soil & Water Administrative Officer retired. The Soil & Water Board of Supervisors has suggested that the department can best be served by reclassifying the two positions: District Manager - Soil Conservationist and Education Coordinator - Administrative Assistant. The current salaries total \$107,512.34. Reclassifying the two positions would decrease the two salaries to \$80,357.57 creating a savings of \$27,154.77

plus applicable fringe benefits. He recommended that the Board approve the proposed reclassifications and authorize: (a) recruitment for a District Manager–Soil Conservationist and, depending upon the outcome of that recruitment, (b) authorize the recruitment for an Education Coordinator-Administrative Assistant.

Motion: *Commissioner Elders moved to approve the recommendations. Commissioner Cowan seconded the motion. Motion carried by unanimous vote.*

(11) AGENDA AMENDMENT: GENERAL UTILITY WORKER I: Mr. Wooten requested the Agenda be amended by adding a General Utility Worker I position to the Recreation/Parks Dept.

Motion: *Commissioner Jones moved to amend the Agenda by adding General Utility Worker I position to the Recreation/Parks Dept. Commissioner Cowan seconded the motion. Motion carried by unanimous vote.*

(12) RECREATION/PARKS DEPT. – GENERAL UTILITY WORKER I: Mr. Wooten stated the Housekeeper assigned to clean and maintain the various parks has resigned. He recommended that the position be transferred, with the same salary grade and step, from the Housekeeping Dept. to the Recreation/Parks Dept. and reclassified as General Utility Worker I, Salary Grade 13, Step 1, \$22,200.65 and be approved for recruitment.

Motion: *Commissioner Jones moved to approve the recommendation. Commissioner Cody seconded the motion. Motion carried by unanimous vote.*

(13) FIREWORKS DISPLAY: Alan Farmer, Fire Marshal, presented a Permit Application from East Coast Pyrotechnics to display fireworks at Mountaintop Golf Club on July 4. He stated the applicant has submitted the required documentation including proof of insurance; however, his office cannot issue a permit until a site inspection has been performed on the day of the event. He requested authorization, pursuant to G. S. 14-413, to continue the application process and issue a permit at his discretion.

In the future, the Fire Marshal may submit Fireworks Permit Applications with a statement that the applicant has submitted all required documentation to the Board for authorization to proceed.

Motion: *Commissioner Jones moved to authorize the Fire Marshal to proceed with the application of East Coast Pyrotechnics to display fireworks at Mountaintop Golf Club on July 4, 2011. Commissioner Cody seconded the Motion. Motion carried by unanimous vote.*

(14) PROPOSED FY2011-12 BUDGET: Mr. Wooten presented a budget message and proposed FY2011-12 Budget. He stated that the proposed budget is balanced without any modification to the current ad valorem tax rate of \$0.28 or utilization of any of the fund balance. The projected tax base is approximately \$74.5 million less than currently budgeted. The tax collection rate is less in the proposed budget because it must be based on the prior year collection rate which was 94.79%. The proposed budget does not include an increase in salaries for employees. Funding for public schools remains the same as last year with an increase for capital improvements. Funding for SCC is increased to support the increased operating costs for the Early

College building. Additional funding is included for the library both in operating funds to the Fontana Regional Library for additional staff to maintain the current operating hours plus utilities and maintenance to support the new facility. Overall, the general fund is actually 3.25% less than the current budget.

The proposed budget reflects a reduction of 17.1 positions as compared with the current year. The majority of those positions are related to the Staffed Recycling Centers which will be staffed on a contractual basis in the general fund. He proposed a net decrease of 4.5 positions and proposed one new position – Public Works Director. He recommended the Maintenance, Grounds, Housekeeping and Garage Depts. be consolidated to create a Public Works Dept. The new position will be paid for by cost savings the Director will identify in the four divisions, thus no increase in the budget.

A Work Session is scheduled on May 9.

(15) ASSESSMENT OF CORRECTIVE MEASURES for DILLSBORO LANDFILL - RESOLUTION (R11-11): The Resolution states the county will implement “Alternative 3” and follow a five-year performance review (to be conducted in July 2016) and may implement “Alternative 4”. The alternatives were described in the Assessment of Corrective Measures Report dated December 7, 2010 prepared by Altamont Environmental, Inc. and presented at a Public Hearing on February 7, 2011. Chris Gilbert of Altamont stated the appropriate action is to extract Leachate via the wells already at the landfill. NCDENR has endorsed the corrective measures. Altamont estimated the total capital cost will be \$145,225.30 payable over a 3-year period. The current solid waste fees are sufficient to pay for the project.

Motion: *Commissioner Cowan moved to adopt the Resolution. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(16) TRANSIT PROGRAM RESOLUTION (R11-12): The Board is requested to adopt a resolution authorizing submission of a Section 5310 Elderly Individuals and Individuals with Disabilities Program grant application to NCDOT. The total cost is \$168,751 of which the local share is \$63,761. The grant will be used mainly to provide transportation services in the south end of the county and includes the purchase of a vehicle. A public hearing was held at 1:45 p.m. on May 2 and no public comments or objections were made.

Motion: *Commissioner Jones moved to adopt the resolution. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.*

(17) TOWN OF WEBSTER PLANNING BOARD: The Town of Webster notified the county that there are three vacancies on its Planning Board for residents of the town’s extraterritorial jurisdiction. Pursuant to G.S. 160A-362, the county has the first option to make the appointments. Chairman Debnam recommended that the county decline to make any appointments and allow the Town to make the appointments.

Motion: *Commissioner Jones moved to allow the Town of Webster to make the appointments. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(18) WATERSHED REVIEW BOARD: Carry over.

(19) **CEMETERY BOARD:** There are four vacancies. Bill Crawford, Robert Blanton and James Monteith (representing the Genealogy Society) have agreed to continue to serve if reappointed. Commissioner Cody recommended Steve Luker.

Motion: *Commissioner Cody moved to reappoint Bill Crawford, Robert Blanton and James Monteith and appoint Steve Luker all for 4-year terms on the Cemetery Board. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(20) **PROCLAMATION – National Law Enforcement Week:**

Motion: *Commissioner Jones moved to proclaim May 15 - 21 as National Law Enforcement Week and May 15 as National Law Enforcement Officers Memorial Day. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(21) **PROCLAMATION – National Nurses Week:** Commissioner Cowan requested that the Proclamation be amended by adding “and the five Jackson County Public School nurses” in the first paragraph.

Motion: *Commissioner Cowan moved to proclaim May 6 – 12 as National Nurses Week, as amended. Commissioner Elders seconded the Motion. Motion carried.*

INFORMAL COMMENTS BY PUBLIC:

- (a) Marie Leatherwood of Sylva stated law enforcement agencies should investigate the activities of the JDC.
- (b) Carol Adams, on behalf of the Greater Cashiers Area Merchants Association, requested the county to sponsor one or both activities of the association, i.e., “Groovin' on the Green”, a wide variety of concerts scheduled on Fridays during the summer months, and “Cashiers Valley Leaf Festival” scheduled on October 7 - 9. The purpose of the festival is to develop and maintain a strong economy in the county by attracting tourists, potential home buyers and visitors.
- (c) Carl Iobst of Cullowhee stated the county should charge a fair and reasonable amount if the old library facility is leased or sold to the Town of Sylva.

PRESS CONFERENCE

There being no further business, Commissioner Cody moved to adjourn the meeting. Commissioner Elders seconded the Motion. Motion carried and the meeting adjourned at 3:45 p.m.

Attested By:

Approved:

Evelyn B. Baker, Clerk to Board

W. J. Debnam, Chairman