

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

**MINUTES OF A
REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
DECEMBER 20, 2010**

The Jackson County Board of Commissioners met in a Regular Session on December 20, 2010, at 5:30p.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

Chairman Debnam called the meeting to order.

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

MINUTES: Commissioner Cowan moved to approve the Minutes of the Regular and Organizational Meetings of December 6, 2010. Commissioner Elders seconded the Motion. Motion carried.

(1) CHAIRMAN'S REPORT: Chairman Debnam reported that on December 8 and 9 the new board members attended an Essentials of County Government Seminar which included a statutory ethics class. All members passed the ethics course.

(2) CONSENT AGENDA: Darlene Fox, Finance Director, presented the finance and tax collector's reports for the month of November 2010 and two budget amendments.

Motion: Commissioner Jones moved to approve the Consent Agenda.

Commissioner Cody seconded the motion. Motion carried by unanimous vote.

(3) COUNTY ATTORNEY CONTRACT: J. K. Coward submitted a County Attorney Contract which is for a period of one year at the rate of \$175.00 per hour.

Motion: Commissioner Elders moved to approve the contract. Commissioner

Cody seconded the Motion. Motion carried by unanimous vote.

(4) SHERIFF'S OFFICE – JOB RECLASSIFICATIONS: Sheriff Ashe requested that two positions be eliminated, i.e., Captain-Detention & Administration and Captain-Operations & Investigations and create one new job classification (Major) and one new position (Sgt. Detective). The remaining salary funds from the staff attorney position which was eliminated in November 2010 will be utilized for the two new

classifications and one new position. Chip Hall was promoted to Chief Deputy, Steve Lillard will be promoted to Major, and John Buchanan will be hired for the Sgt. Detective position. Although there will not be a cost savings this fiscal year, a savings of \$9,062.00 will be realized in FY2011-12. No new funds will be needed for the remainder of this fiscal year.

Motion: *Commissioner Jones moved to approve the requests. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(5) SCATTERED SITE HOUSING PROGRAM QUARTERLY REPORT

(Sept.–Nov. 2010): Joan Stillwell, Community Development Director, presented the September – November 2010 quarterly report. One rehabilitation project is in progress, two relocation projects are complete and work is in progress on the third relocation project. There have been no problems or delays. Expenditures for the quarter are: \$12,810.66 in administration funds and \$143,479.23 in project funds.

(6) FIT COMMUNITY GRANT: Emily Elders, Greenways Coordinator, stated the original site was a trail system on the Smokey Mountain Elementary School campus; however, due to some cost and security issues that arose during the initial design phase, the project cannot be completed at that site. She has requested authorization from the grant sponsors to relocate the project to the Aging Facility property. She requested the Board to authorize a new location for a walking trail on the Aging Facility property at the Webster Complex.

Motion: *Commissioner Jones moved to approve the request. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(7) NCACC LEGISLATIVE GOALS VOTING DELEGATE: Carry over.

(8) RESOLUTION DESIGNATING ABC PERMIT OFFICIAL (R10-29):

State Statutes require counties to designate an ABC Permit Official. The official is tasked with ascertaining the suitability of persons and locations for ABC permits in the county.

Motion: *Commissioner Elders moved to adopt a resolution designating Sheriff Jimmy Ashe as the ABC Permit Official. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(10) CODE OF ETHICS: The 2009 North Carolina General Assembly passed a law requiring all counties to adopt a resolution/policy containing a code of ethics to guide actions by the governing board members in the performance of their official duties. The prior Board adopted a Code of Ethics (R10-25) in November 2010. Chairman Debnam recommended the Board ratify that Code of Ethics. Attorney Coward recommended that one word in Paragraph 3.2 be changed from “two-thirds” to “three-fifths”.

Motion: *Commissioner Cody moved to ratify the Code of Ethics Resolution as amended. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.*

(11) EMERGENCY FOOD & SHELTER BOARD: Carry over.

(12) WHITTIER SANITARY BOARD: Carry over.

(13) PLANNING BOARD:

Motion: Commissioner Cody moved to appoint Ben Bergen to fill the unexpired term of Glenna Buchanan on the Planning Board. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.

(14) GREENWAYS ADVISORY COMMITTEE:

Motion: Commissioner Jones moved to appoint Karl Nicholas to a 3-year term on the Greenways Advisory Committee. Commissioner Cody seconded the Motion. Motion carried by unanimous vote.

(15) AIRPORT AUTHORITY BOARD: Carry over.

INFORMAL COMMENTS BY PUBLIC:

(a) Jamie Wilson of the Barkers Creek Community stated he is a former DOT employee. He served as DOT's representative in development of the Comprehensive Transportation Plan which the county adopted last year. At the last public meeting of DOT addressing Hwy. 107, the traffic count used was incorrect, thus incorrect numbers are being used to forecast future traffic counts.

(b) Lee Ewart of Sylva stated he objects to the logistics of obtaining permits at the Justice Center, GDS having an exclusive trash monopoly in the county and the landfill fees he is charged on his tax bill continues to increase.

PRESS CONFERENCE

CLOSED SESSION: Chairman Debnam stated there was the need for a closed session pursuant to G. S. 143-318.11(a)(3) Legal (car accident) and G. S. 143-318.11(a)(6) Personnel.

Motion: Commissioner Elders moved that the Board go into closed session. Commissioner Jones seconded the Motion. Motion carried.

Chairman Debnam called the regular meeting back to order and stated no action was taken in closed session.

Chairman Debnam moved to amend the Agenda by adding "Interim County Manager". Commissioner Elders seconded the Motion. Motion carried.

(16) INTERIM COUNTY MANAGER:

Motion: *Chairman Debnam moved to hire Chuck Wooten as Interim County Manager at the rate of \$10,000 per month with no benefits. Commissioner Cowan seconded the Motion. Mr. Wooten will commence work on January 3, 2011. Motion carried by unanimous vote.*

Commissioner Elders moved that the meeting be adjourned. Commissioner Jones seconded the Motion. Motion carried and the meeting adjourned at 7:30 p.m.

Attested By:

Approved:

Evelyn B. Baker, Clerk to Board

W. J. Debnam, Chairman