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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 4, 2009**

The Jackson County Board of Commissioners met in a Regular Meeting on May 4, 2009 at 6:30 p.m., 401 Grindstaff Cove Road, Room A201, Sylva, North Carolina.

Present: Brian T. McMahan, Chairman
Tom Massie, Vice Chair
Joe Cowan, Commissioner
William Shelton, Commissioner
Mark Jones, Commissioner

Ken L. Westmoreland, County Manager
W. Paul Holt, Jr., County Attorney
Evelyn B. Baker, Clerk to Board

Chairman McMahan called the meeting to order.

AGENDA: Chairman McMahan added Proclamation Honoring the United States Armed Forces. Commissioner Jones moved to approve the amended Agenda. Commissioner Massie seconded the Motion. Motion carried.

MINUTES: Commissioner Massie moved to approve the Minutes of the Regular Meeting of April 20, 2009. Commissioner Shelton seconded the Motion. Motion carried.

INFORMAL COMMENTS BY THE PUBLIC:

(a) Marie Leatherwood of Sylva stated she was of the opinion that documents addressing tax monies being used for years by the EDC and JDC, all who are volunteers, have not been made available to the public.

(b) Molly McIntosh, attorney for Duke Energy Carolina, stated the time for filing an appeal in the permit case has expired and a dredging permit, without conditions, should be issued immediately.

(1) CHAIRMAN'S REPORT: Chairman McMahan reported that he, Commissioners Massie and Jones attended the County Assembly Day in Raleigh on April 29. The library groundbreaking ceremony is scheduled on May 16. Also on May 16 is a celebration of Armed Forces Day at the National Guard Armory at 12:00 noon.

(2) COMMISSIONERS REPORTS: Commissioner Shelton reported that he, Commissioner Jones and Mr. Westmoreland attended the Great Smoky Mountains National Park 75th Anniversary kick-off ceremony at Clingman's Dome on April 24. He requested that the county adopt a Resolution recognizing the 75th Anniversary of the Great Smoky Mountains National Park.

(3) COUNTY MANAGER'S REPORT: Mr. Westmoreland stated that as a part of the county's participation in an incentive program for Jackson Paper/Stonewall Packaging, the Revolving Loan Committee needs to schedule a meeting.

(4) SMOKY MOUNTAIN CENTER QUARTERLY REPORT: Don Suggs, Interim Director, reported the 160A organization process for service providers is underway. A consultant is developing a feasibility study for further development of the 160A. The Balsam Center reopened with four beds on May 1 and anticipates opening ten beds by the end of May. The Balsam Center will be in a position to serve the substance abuse population in terms of providing detox services.

Shelly Lackey, Community Relations Coordinator, stated Smoky Mountain Center is moving forward by reopening the adult recovery unit and closing the emergency services unit at the Balsam Center which will decentralize emergency response. However, SMC has initiated local crisis teams using therapists, clinical staff, mental health professional, and access to psychiatric nursing to meet patients in the community, wherever they are located, if a crisis assessment is needed. SMC is working on credentials for a mobile crisis team to evaluate patients at WestCare emergency room. In addition, SMC is working on a tele-psychiatry program which uses technology to help improve access to psychiatric services.

(5) BIKE LANE ON HIGHWAY 107 SOUTH: Chris Cooper, on behalf of bicycling advocates, requested that the county adopt a resolution requesting that NCDOT build a 6-foot wide bike lane as part of scheduled improvements to Hwy. 107 South. The southbound bike lane could terminate at Shook Cove Rd, and the northbound lane would connect to the existing shoulder at SR 1002 (Old Cullowhee Road intersection). Additionally, NCDOT should mark the existing four-foot shoulders from SR 1001 (Speedwell Rd) to SR 1002 as bike lanes. In addition, because they pose grave safety concerns for all cyclists, they strongly oppose any form of rumble strips. He stated the three main issues for a bike lane are safety, tourism and infrastructure improvement. The Board will consider a resolution at the next meeting.

(6) LIBRARY BIDS: Mr. Westmoreland reported that 15 bids were received. The lowest bidder withdrew its bid and the second lowest bidder did not meet the qualifications. McMillian, Smith Architects, recommended that the most responsible bidder, Brantley Construction, be awarded the base bid plus the four alternates in the total amount of \$6,067,169 which is lower than the architect's estimate.

***Motion:** Chairman McMahan moved to award the bid, plus all alternates, to Brantley Construction in the total amount of \$6,067,169. Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.*

(7) HISTORIC PRESERVATION COMMISSION ORDINANCE: A public hearing was scheduled on May 18, 2009 at 6:00 p.m.

(8) TRANSIT GRANT APPLICATION RESOLUTION (R09-08): Chuck Norris, Transit Director, requested adoption of a resolution allowing the filing of an application for a grant under the American Recovery and Reinvestment Act 2009 for 100% federal capital improvements funding for the transit department. A public hearing was held on May 4th at 6:15 p.m. and no public comments or objections were made.

***Motion:** Commissioner Massie moved to adopt the Resolution. Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.*

(9) SCOTTS CREEK RD/SKYLAND DRIVE RESOLUTION (R09-09):

NCDOT has requested the adoption of a resolution in support of safety improvements to the Scotts Creek Rd. /Skyland Drive intersection. The improvements will be totally funded by NCDOT.

Motion: *Commissioner Jones moved to adopt the Resolution. Commissioner Massie seconded the Motion. Motion carried by unanimous vote.*

(10) PROCLAMATION HONORING the UNITED STATES ARMED FORCES:

The United States Armed Forces are always honored on the third Saturday of each May.

Motion: *Commissioner Massie moved to proclaim May 16 as United States Armed Forces Day in Jackson County. Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.*

(11) NURSING & REST HOME ADVISORY COMMITTEE:

Motion: *Commissioner Cowan moved to appoint Nancy Buchanan to a 3-year term on the Nursing & Rest Home Advisory Committee. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(12) AIRPORT AUTHORITY APPOINTMENT: Table.

CLOSED SESSION:

Motion: *Chairman McMahan moved that the Board go into closed session pursuant to G. S. 143-318.11(a)(3) Legal (Duke permit lawsuit) and G. S. 143-318.11(a)(5) Real Property (present library site). Commissioner Shelton seconded the Motion. Motion carried.*

Chairman McMahan called the regular meeting back to order and stated no action was taken in closed session other than approval of minutes.

There being no further business, Commissioner Massie moved to adjourn the meeting. Commissioner Jones seconded the Motion. Motion carried and the meeting adjourned at 8:30 p.m.

Attest:

Approved:

Evelyn B. Baker, Clerk to Board

Brian Thomas McMahan, Chairman

