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

**MINUTES OF THE REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
JUNE 4, 2007**

The Jackson County Board of Commissioners met in Regular Session on June 4, 2007, at 6:00 p.m., 401 Grindstaff Cove Road, Room A201, Sylva, North Carolina.

Present: Brian T. McMahan, Chairman
Joe Cowan, Vice Chair
Tom Massie, Commissioner
William Shelton, Commissioner
Mark Jones, Commissioner
Kenneth L. Westmoreland, County Manager
W. Paul Holt, Jr., County Attorney
Evelyn B. Baker, Clerk to the Board

Chairman McMahan called the meeting to order.

AGENDA: Chairman McMahan amended the Agenda by adding Annual Participation Agreement (Workers Comp). Commissioner Jones moved to approve the amended Agenda. Commissioner Shelton seconded the Motion. Motion carried.

MINUTES: Commissioner Cowan moved to approve the Minutes of the Budget Public Hearing of May 22, 2007, Minutes of the Regular Meeting of May 22, 2007, Minutes of the Reconvened Meeting of May 24, 2007 and Minutes of the Budget Work Session of May 29, 2007. Commissioner Jones seconded the Motion. Motion carried.

INFORMAL COMMENTS BY THE PUBLIC: None.

(1) CHAIRMAN'S REPORT: Chairman McMahan stated:

- (a) June 7, 6:00 pm Budget Work Session;
- (b) June 11, 10:00 am, Recreation Expansion Open House
- (c) June 11, 7:00 pm, Public Hearing concerning proposed Ordinances at SCC

(2) COMMISSIONERS REPORT: Commissioner Massie asked about the status of the investigation of a junkyard located near Alvin Frady's home. Mr. Westmoreland responded that he had not received a report from the planning department.

(3) FINANCE & TAX COLLECTOR REPORTS FOR MAY 2007: Darlene Fox, Finance Director, presented the following highlights:

<u>General Fund Revenues Collected to Date</u>	<u>\$ 39,418,878.11</u>
<u>General Fund Expenditures to Date</u>	<u>\$ 37,401,549.08</u>
<u>Ad Valorem Tax Collected</u>	<u>\$ 21,717,862.34</u>
<u>Motor Vehicle Tax Collected</u>	<u>\$ 827,627.69</u>
<u>Sales & Use Tax for March 2007</u>	<u>\$ 809,156.55</u>

<u>Landfill Disposal Fees</u>	\$	1,175,708.97
<u>Contingency Balance</u>	\$	37,438.00

(4) BUDGET AMENDMENTS:

<u>General Fund</u>	\$	422,758.00
<u>Capital Reserve Fund</u>	\$	8,500.00
<u>Emergency Telephone Fund</u>	\$	80,000.00
<u>TTA Fund</u>	\$	55,338.00
<u>Real Property Revaluation Fund</u>	\$	40,000.00
<u>Community Dev. Services</u>	\$	3,500.00
<u>Economic Dev. Fund</u>	\$	10,829.00
<u>Capital Projects Fund</u>	\$	217,067.00
<u>Solid Waste Fund</u>	\$	348,975.00
<u>Green Energy Park Fund</u>	\$	42,200.00

(5) CASHIERS RECREATION CENTER SITEWORK BIDS: Mr.

Westmoreland stated that he received a report today from the engineer which states that the recreation center is located within one of the few watersheds classified by the NCDENR as “Outstanding Resource Waters”. The only option NCDENR has given before it will issue a permit for development in a more than 12% built-upon area is the installation of stormwater control systems for the Cashiers Library, which includes SCC, since it is the lowest portion of the complex. The engineer’s preliminary estimated construction cost for stormwater control systems is \$262,000 which includes a \$100,000 allowance for rock excavation. This would be handled by a change order from Buchanan & Sons, the low bidder. The total cost, including sitework, is now approximately \$7.5 million. Mr. Westmoreland recommended that Buchanan & Sons’ bid with alternates be approved plus up to an additional \$262,000 for stormwater control systems for the library. Commissioner Massie moved to approve the recommendation. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(6) LIBRARY: Ron Dubberly of Dubberly Garcia Assoc. Inc. presented a service priorities and facilities report for a new Jackson County Library. Nine community meetings with a total of 155 participants were held in March and April of 2007. He stated the opinions in the report are those of Dubberly Garcia Associates and not necessarily those of the regional library, the public library staff or its board of trustees. The recommendations are for stand-alone facilities. The recommendations for facilities include the number, the general sizes, general service programs, and general location.

The report considered anticipated population growth, geography, land development trends, commercial development patterns, transportation routes, library service needs, library science delivery and technology trends, existing facilities, and the role of the Fontana Regional Library. The study considered the space needs of all county residents – year-round and seasonal. The project involved stakeholders from across the county, including community representatives, individual residents, library support group members, library trustees and staff.

He stated the space needs recommendations were developed using a combination of population projection estimates, facility size data for public libraries with populations similar in size to Jackson County, and consultant expertise. Primary factors in recommending general library locations were population concentrations, commercial development patterns, and geographical accessibility. The adjusted county population estimates used for library planning purposes are 46,777 in 2007 and 51,380 by 2010. The

study revealed a library system consisting of four libraries is recommended for the period between 2010 and 2020:

- (a) A main library in the vicinity of the intersection of Hwy 107 and 116, with 26,000 sf in 2010 and 35,000 sf by 2020 as compared to the present facility of 6,400 sf.
- (b) An area library located in Cashiers Township, the present library with 12,000 sf.
- (c) An express library in northern Sylva by 2010 with 5,000 sf.
- (d) An express library in the Whittier area by 2015 with 5,000 sf.

He stated that four service priorities ranked highest in the combined results of the nine community input sessions: (a) Satisfy Curiosity: Lifelong Learning (b) Create Young Readers: Early Literacy (c) Visit a Comfortable Place: Physical and Virtual Spaces, and (d) Stimulate Imagination: Reading, Viewing, and Listening for Pleasure.

The report did not include projected costs for staffing a library system.

(7) RECREATION DEPT. – JULY 4 FIREWORKS: Jeff Carpenter, Recreation Director, requested permission to display fireworks on the Historic Courthouse lawn and at Cashiers Community Park on July 4. The department will be using the professional firm of Melrose Pyrotechnics. Chairman McMahan suspended the rules and Commissioner Cowan moved to permit the request. Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.

(8) GLENVILLE LAKE – JULY FIREWORKS: Stuart Hall requested that he be allowed to display fireworks at the “Point Subdivision” on Glenville Lake across from Hamburg Baptist Church on July 3. His e-mail states he has cleared the shoot with Duke Power and has a permit from the Fire Marshal. Chairman McMahan suspended the Rules and Commissioner Shelton moved to permit the request. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(9) WORK FIRST PLAN AMENDMENT: Kristina Kiska, DSS Social Work Supervisor, requested that the Work First Plan be amended and presented an updated Memorandum of Agreement with the Employment Security Commission of North Carolina for a First Stop Employment Assistance Program office at 26 Ridgeway St., Sylva.

(10) RECYCLING CONTRACT: Mr. Westmoreland stated that the solid waste consultant evaluated the two proposals for processing the county’s recyclable material and recommended it would be in the best interest of the county to renew its contract with FCR.

(11) AUDIT CONTRACT: Dixon Hughes PLLC submitted an engagement letter and contract for the audit period beginning July 1, 2006 and ending June 30, 2007. Chairman McMahan suspended the rules and Commissioner Massie moved to approve the contract. Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.

(12) BUDGET ORDINANCE FY2007-2008: Carry over.

(13) **WORKERS COMPENSATION**: The Annual Participation Agreement is an agreement for the county to join the N. C. Assoc. of County Commissioners Joint Risk Management Agency Workers' Compensation Fund. Chairman McMahan suspended the rules and Commissioner Massie moved to approve the agreement. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(14) **NORTHSTAR LANE RESOLUTION**: Susan Smith submitted a petition signed by all property owners requesting that Northstar Lane be added to DOT's maintenance system.

(15) **SOUTHWESTERN COMMUNITY COLLEGE BOARD OF TRUSTEES APPOINTMENT**: Chairman McMahan suspended the rules and Commissioner Massie moved to appoint Commissioner Shelton to the SCC Board of Trustees. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(16) **NURSING & REST HOME ADVISORY COMMITTEE**: Carry over.

(17) **COUNTY ASSESSOR**: Bobby McMahan's term as County Assessor expires June 30, 2007. G. S. 105-349 mandates that the Board appoint a county assessor for a two or four year term beginning July 1. Chairman McMahan suspended the rules and Commissioner Massie moved to appoint Bobby McMahan to a four-year term as County Assessor. Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.

Commissioner Shelton moved that the Board go into Closed Session pursuant to G. S. 143-318.11(a)(3) Legal and G. S. 143-318.11(a)(4) Business Expansion. Commissioner Cowan seconded the Motion. Motion carried.

Chairman McMahan called the Open Session back to order and reported no action was taken in Closed Session.

(18) **SMOKY MOUNTAIN BIOFUELS**: Carry over.

There being no further business, Commissioner Cowan moved that the meeting be adjourned. Commissioner Shelton seconded the Motion. Motion carried and the meeting adjourned at 8:45 p.m.

Attested By:

Evelyn B. Baker, Clerk

Approved:

Brian Thomas McMahan, Chairman

