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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  
OCTOBER 15, 2007**

The Jackson County Board of Commissioners met in Regular Session on October 15, 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  
Evelyn B. Baker, Clerk to the Board

**AGENDA:** Chairman McMahan moved to amend the Agenda by adding Savannah Fire Dept. Resolution and Library Design Contract. Commissioner Shelton seconded the Motion. Motion carried.

Chairman McMahan called the meeting to order and moved that the Board go into closed session pursuant to G. S.143-318(a)(3)Legal and G. S.143-318.11(a)(6) Personnel. Commissioner Jones seconded the Motion. Motion carried.

Chairman McMahan called the open session back to order and reported no action or votes were taken in closed session.

**MINUTES:** Commissioner Massie moved to approve the Minutes of the Public Hearing of October 1, 2007 and Regular Meeting of October 1, 2007. Commissioner Cowan seconded the Motion. Motion carried.

**INFORMAL COMMENTS BY THE PUBLIC:** Brad Smith of Brad Smith Associates, Inc. stated that his firm has agreed to reduce the proposed fee for the 441 Corridor Study from \$200,000 to \$150,000.

**(1) CHAIRMAN'S REPORT:** Chairman McMahan reported that he is attending an RPO meeting in Macon County on October 16. He reminded the Board of the Special Meeting on October 22 and the next regular meeting is November 5.

**(2) COUNTY MANAGER'S REPORT:** Mr. Westmoreland reported that The Mercer Group, Inc. will be at the Justice Center on October 16 to begin work on job descriptions together with compensation and classification studies for all employees. Further, part of the scope of work is to review the entire Personnel Policy.

**(3) RESOLUTION – SCC (R07-18):** SCC’s faculty and staff have a long distinguished history, 40+ years, of helping Jackson County citizens achieve their personal and professional goals and objectives as well as meeting the workforce needs of businesses and industries in the county. SCC has been designated as the fourth best community college in America. Commissioner Cowan moved to adopt the Resolution. Commissioner Jones seconded the Motion. Motion carried by unanimous vote. Dr. Groves thanked the Board for the recognition.

**(4) FINANCE & TAX COLLECTOR REPORTS FOR SEPTEMBER 2007:**

Darlene Fox, Finance Director, presented the following highlights:

General Fund Revenues Collected to Date	\$ 12,380,129.00
General Fund Expenditures to Date	\$ 10,647,649.00
Ad Valorem Tax Collected	\$ 6,326,630.00
Motor Vehicle Tax Collected	\$ 193,047.00
Prior Year Tax Collected	\$ 236,952.00
Sales & Use Tax for July 2007	\$ 1,008,594.00
Landfill Disposal Fees	\$ 374,530.00
Contingency Balance	\$ 79,747.32

**(5) BUDGET AMENDMENTS:**

Tax Assessment	\$ 8,600.00
Health Dept	\$ 31,384.00
EDC Fund	\$ 337,255.34

Commissioner Shelton moved to approve the September 2007 Finance & Tax Collector Reports and Budget Amendments. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

**(6) US 441 CORRIDOR STUDY CONSULTING CONTRACT:** Mr.

Westmoreland stated that after fee negotiations with Brad Smith Associates Inc. and the company’s reduction in the fee, he was of the opinion that the scope of work may be compromised in what must be done in comparison with the other two proposals. The budget line item for this study must also cover other contingencies, i.e., attorney fees for assistance with the development of an ordinance, fieldwork, mapping, and engineer services. He requested authorization to negotiate fees with the Board’s second choice, Kimley-Horn & Assoc. Commissioner Shelton moved to authorize the request. Commissioner Massie seconded the Motion. Motion carried by unanimous vote.

**(7) ANIMAL SHELTER PROPERTY:** Carry over.

**(8) DIVISION OF COMMUNITY CORRECTIONS ANNUAL REPORT:**

Dallas McMillan, Jr., 30<sup>th</sup> Judicial District Manager, presented a written report and statistical analysis for FY2006-07. He stated that as of October 15 there are 367 criminals on parole in Jackson County. During FY2006-07, a total of 8,334 hours of community service was completed by criminal offenders and saved the county \$47,612.90. The Division employees serve the community in public service groups, community organizations, and professional organizations. The employees work together as a team to provide for the common good of the citizens of western North Carolina and the state at large in both their professional and personal lives.

**(9) JUDACULLA ROCK – CONTRACT:** Mr. Westmoreland reported that because of deterioration of the Judaculla Rock it is necessary that a professional conservation plan be implemented. A number of consulting firms were interviewed and the firm of Stratum Unlimited, LLC, Georgia, was highly recommended by the Tribal Historic Preservation Office and the Office of SHIPPO in Raleigh and the N.C. Forest Service. He recommended that the county enter into a contract with Stratum Unlimited, LLC, for the development of a comprehensive conservation plan at an estimated cost of \$16,230. Commissioner Jones moved to approve the contract. Commissioner Massie seconded the Motion. Motion carried by unanimous vote.

**(10) RESOLUTION - SAVANNAH FIRE DEPT. SUBSTATION (R07-19):** Rep. Phil Haire has been successful in obtaining \$41,000 in state funds for paving the road from NC 1301 to the Pumpkintown Substation in addition to the area in front of the bays. Commissioner Massie moved to adopt the Resolution. Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.

**(11) LIBRARY DESIGN CONTRACT:** Mr. Westmoreland reported that McMillan Smith & Partners Architects submitted a contract for the design of the new library for a fee of 8% of construction costs which includes 1% for restoration of the Historic Courthouse. Commissioner Massie moved that the contract be approved. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

Chairman McMahan moved that the Board go back into closed session pursuant to G. S.143-318(a)(3) Legal. Commissioner Shelton seconded the Motion. Motion carried.

Chairman McMahan called the open session back to order and reported no action or votes were taken in closed session.

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

Attest:

\_\_\_\_\_  
Evelyn B. Baker, Clerk

Approved:

\_\_\_\_\_  
Brian Thomas McMahan, Chairman