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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  
NOVEMBER 19, 2007**

The Jackson County Board of Commissioners met in Regular Session on November 19, 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 Audit Report for FY2006-07, removed Smoky Mountain Center Quarterly Report and Town of Dillsboro Request for Inter-Local Agreement. Commissioner Shelton moved to approve the amended Agenda. Commissioner Jones seconded the Motion. Motion carried.

**MINUTES:** Commissioner Massie moved to approve the Minutes of the Regular Meeting of November 5, 2007, Minutes of the Work Session of November 8, 2007, Minutes of the Public Hearing of November 13, 2007 and Special Meeting of November 13, 2007. Commissioner Cowan seconded the Motion. Motion carried.

**INFORMAL COMMENTS BY THE PUBLIC:** None.

**(1) SCOTTS CREEK SCHOOL ROBOTICS LEAGUE:** The challenge for the students was to locate a problem dealing with energy in the community, then research and develop a solution. They selected the Historic Courthouse for an energy audit. The mission was to build robots depicting their findings and solution to the problem. They will be presenting their program in a state competition.

**(2) CHAIRMAN'S REPORT:** Chairman McMahan scheduled the following meetings:

- (a) Public Hearing Re: Animal Control Ordinance 12/17/07 at 5:00 pm
- (b) Work Session Re: Cell Tower Ordinance 1/7/08 at 5:00 pm
- (c) Joint Meeting with Municipalities 1/15/08 at 6:00 pm
- (d) Second Regular January meeting date changed to 1/22/08
- (e) Public Hearing Re: Cell Tower Ordinance 1/22/08 at 5:00 pm

**(3) COUNTY MANAGER'S REPORT:** Mr. Westmoreland reported that Kimley-Horn & Associates has requested a planning meeting on November 27 at 10:00 a.m. concerning the 441 Corridor Study to review generalities and parameters of the study.

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

Darlene Fox, Finance Director, presented the following highlights:

General Fund Revenues Collected to Date	\$ 13,868,033.00
General Fund Expenditures to Date	\$ 14,817,977.00
Ad Valorem Tax Collected	\$ 7,933,533.00
Motor Vehicle Tax Collected	\$ 320,098.00
Prior Year Tax Collected	\$ 287,361.00
Sales & Use Tax for August 2007	\$ 925,579.00
Landfill Disposal Fees	\$ 500,071.00
Contingency Balance	\$ 71,147.32

Smoky Mountain Center Quarterly Report ending September 30, 2007:

Operating budget	\$ 29,186,152.00
Actual revenues	\$ 8,037,984.00
Actual expenditures	\$ 5,255,438.00
Net income	\$ 2,782,546.00

**(5) BUDGET AMENDMENTS:**

Airport Authority	\$ 65,000.00
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Commissioner Shelton moved to approve the October 2007 Finance & Tax Collector Reports and Budget Amendment. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

**(6) AUDIT REPORT for FISCAL YEAR ENDING 6/30/07:** Mitch Crisp of Dixon Hughes PPLC presented a summary of the audit report for fiscal year ending June 30, 2007. He stated the report contains an unqualified opinion and the county is in compliance with all federal and state program requirements. The fund balance is well above the state average for other comparable counties. The tax collection rate was 97%. Action on the report is carried over to December 3, 2007.

**(7) TOWN OF SYLVA INTER-LOCAL AGREEMENT:** Carry over.

**(8) MUNICIPAL GRANTS:** The following grant applications were submitted:

Town of Webster	Construction of handicapped ramp & handrail at town hall	\$ 5,000
Town of Dillsboro	Monteith Park & Farmstead	\$ 20,000
Town of Dillsboro	Monteith Farmstead/Appalachian Women's Museum	\$ 15,000
Town of Sylva	Bryson Park Playground Equipment	\$ 20,000
Town of Sylva	Bridge Park Pavilion	\$ 20,000
Town of Sylva	Sylva to Dillsboro Connector Pathway	\$ 20,000
Village of Forest Hills	Village Golf Course	No amt submitted

Commissioner Massie moved to award \$5,000 to the Town of Webster, \$5,000 to the Town of Dillsboro for either of their two projects and \$10,000 to the Town of Sylva for any of their three projects. Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.

**(9) TIMBUKTU ROAD RESOLUTION (R07-25):** Chairman McMahan moved to adopt the Resolution. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

**(10) CASHIERS PLANNING COUNCIL APPOINTMENT:** Carry over.

**(11) AUDIT AGREEMENT FOR BUSINESS PERSONAL PROPERTY:** Tax Management Associates, Inc. (TMA) submitted a business personal property auditing services agreement. The county used this firm last year. The county will pay to TMA an amount equal to 35% of the taxes collected for discoveries resulting from each audit performed by TMA. Chairman McMahan moved to approve the audit services agreement. Commissioner Massie seconded the Motion. Motion carried by unanimous vote.

**(12) 441 CORRIDOR STEERING COMMITTEE APPOINTMENTS:** The committee will consist of seven members and two alternates. Commissioner Massie nominated Debbie Cowan. Commissioner Shelton nominated Bill Gibson. Commissioner Jones nominated John Parker. Commissioner Cowan nominated Barry Weldon. Chairman McMahan nominated Mark Brooks. Commissioner Shelton nominated Jerry McAbee as an alternate, David Ferguson and Calvin Murphy as at-large members. Chairman McMahan moved to appoint Debbie Cowan, Bill Gibson, John Parker, Barry Weldon, Mark Brooks as members, David Ferguson and Calvin Murphy as at-large members and Jerry McAbee as an alternate. Commissioner Massie seconded the Motion. Motion carried by unanimous vote.

Chairman McMahan moved that the Board go into closed session pursuant to G. S.143-318.11(a)(5) Real Property (property adjacent to old Buster Brown complex and property on Tuckaseegee River). 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.

**AGENDA AMENDMENTS:** Chairman McMahan moved to amend the agenda by adding 441 Corridor Planning Study and Donation of Property. Commissioner Jones seconded the Motion. Motion carried.

**(13) 441 CORRIDOR PLANNING STUDY:** Carry over to November 27.

**(14) DONATION OF REAL PROPERTY:** Barbara Capps has offered to donate property to the county. Commissioner Massie moved to accept the gift. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

Chairman McMahan recessed the meeting until November 27, 2007 at 10:00 a.m.

Attest:

Approved:

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Evelyn B. Baker, Clerk

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Brian Thomas McMahan, Chairman