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Posted By: Evelyn Baker
Witnessed By: _____

**MINUTES OF THE REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
JANUARY 22, 2008**

The Jackson County Board of Commissioners met in Regular Session on January 22, 2008, at 6:00 p.m., 401 Grindstaff Cove Road, Room A201, Sylva, North Carolina.

Present: Brian T. McMahan, Chairman 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	Absent: Joe Cowan, Vice Chair
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Chairman McMahan called the meeting to order.

AGENDA: Chairman McMahan amended the Agenda by removing Board of Elections and Dillsboro ETJ Inter-Local Agreement and Commissioner Massie added Shining Law and Hunting from Public Right-of-Ways Law. Commissioner Jones moved to approve the amended Agenda. Commissioner Shelton seconded the Motion. Motion carried.

MINUTES: Commissioner Massie moved to approve the Minutes of the Work Session of January 7, 2008 and Regular Meeting of January 7, 2008. Commissioner Jones seconded the Motion. Motion carried.

INFORMAL COMMENTS BY THE PUBLIC: Jack Debnam stated that he was opposed to hiring an economic development director because the position is unnecessary and funding the EDC from public monies should cease.

Chad Parker, Solid Waste Director, introduced the Solid Waste Enforcement Officer, Michelle Causey.

(1) **CHAIRMAN'S REPORT:** Chairman McMahan reported he received a court facilities Report of the Grand Jury dated December 3, 2007 requesting some minor repairs which have now been made.

(2) **COMMISSIONERS REPORTS:** Commissioner Shelton reported that he attended the first charrette meeting of the 441 Corridor Study process. The process does not have a predetermined expectation from the Board, but is a process of, by and for the people in that community who are developing their own set of guidelines based on the consensus of the community. A series of meetings will continue during this week.

(3) **COUNTY MANAGER'S REPORT:** None.

(4) FINANCE & TAX COLLECTOR REPORTS FOR DECEMBER 2007:

Darlene Fox, Finance Director, presented the following highlights:

<u>General Fund Revenues Collected to Date</u>	<u>\$ 26,642,635.71</u>
<u>General Fund Expenditures to Date</u>	<u>\$ 22,727,435.59</u>
<u>Ad Valorem Tax Collected</u>	<u>\$ 17,756,349/80</u>
<u>Motor Vehicle Tax Collected</u>	<u>\$ 479,899.28</u>
<u>Sales & Use Tax for October 2007</u>	<u>\$ 767,977.68</u>
<u>Solid Waste Disposal Fees</u>	<u>\$ 1,227,508.63</u>
<u>Contingency Balance</u>	<u>\$ 6,147.32</u>

BUDGET AMENDMENTS:

<u>Health Dept</u>	<u>\$ 46,474.49</u>
<u>Capital Outlay Grant for Wheelchair Ramps</u>	<u>\$ 6,000.00</u>

Commissioner Massie moved to approve the December 2007 Finance and Tax Collector’s reports and Budget Amendments. Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.

(5) ANIMAL CONTROL ORDINANCE: A public hearing was held on December 17, 2007. A revised ordinance which included “Nuisance Animals” definition and Section 16 “Animals Creating a Nuisance” was presented at the January 7, 2008 meeting. Commissioner Massie moved to adopt the revised Animal Control Ordinance with the effective date being March 31, 2008. Commissioner Jones seconded the Motion. Commissioner Shelton suggested that the spay/neutering issue be revisited at a later date. Chairman McMahan stated that if the “nuisance” issue is excessive, the Board may have to consider hiring additional animal control staff. Motion carried by unanimous vote.

(6) SOUTHERN LUMBER PROPERTY: John Cort, Architect, submitted a feasibility study of the property located on Skyland Drive which reflects the property is more than adequate to house a public school bus maintenance facility and meets the guidelines of the NC Dept. of Public Instruction site plans. The preliminary plan includes placing two 10,000-gallon fuel tanks on the site. There are no issues to prevent the site from being used for a school bus maintenance facility. He suggested the county may want to consider obtaining a second access drive across the railroad for buses to be driven straight through the building; however, it is not absolutely necessary. He proposed adding wash and fueling bays outside the building. There is sufficient parking to accommodate the entire school bus fleet during the summer months. It may be necessary to obtain a sewage allocation for additional facilities and sprinklers.

Bruce Youngberg, Project Architect, gave an overview of a preliminary building plan. The building consists of 35,100 sf and shows a 5-bus bay area and 2-bays for smaller buses and vehicles. The plans include offices and a conference room. The conference room could be used for driver training instruction classroom. 11,700 sf is available for other county functions.

The estimated costs including site work, building renovations, equipment, and additions is \$2,176,848. Mr. Cort stated there is sufficient space for the county maintenance garage and the state planning office suggests consolidation of services. Commissioner Massie stated that storm water management/retention must be addressed.

Several members of the School Board were also present. Two school board members and two commissioners will meet to clarify some issues prior to scheduling a joint meeting.

Mr. Cort suggested that special uses and permits be discussed with the Town of Sylva since there is no like facility within the town limits. Chairman McMahan stated the county will evaluate the report and take into consideration the acquisition of the property in addition to the potential for consolidation of services.

(7) AIRPORT AUTHORITY: Mr. Westmoreland stated that the Airport Authority requested that the county finance office provide fiduciary oversight for airport operations including an audit. He stated the volume of transactions is very limited. The only additional responsibility would be an organized structure for hangar leases which would require monthly billing for approximately 17 spaces. He stated Darlene Fox, Finance Director, has agreed that her office could handle the service as well as including the Authority in the single audit. The Authority has offered to pay for the services. He recommended a one-year contract at \$500.00 per month which would pay for the audit and incidental costs. The audit report stated the Authority must cease to maintain its books and secure the services of a certified CPA or accountant. Chairman McMahan moved that the county provide administrative financial support on a one-year contract payable at the rate of \$500.00 per month. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(8) SHINING LAW & HUNTING FROM PUBLIC ROAD RIGHT-OF-WAY: Commissioner Massie stated that Jackson County is one of a few counties in the state that does not have a “shining/spotlighting law” or “hunting from public road right-of-ways law”. The shining/spotlighting issue would be a local law and requires a public hearing. The hunting from public road right-of-ways local law does not require a public hearing. The Wildlife Resources Commission will support each law. The laws should specify hunting of all types of wild birds and big game with the exception of bear and boar hunting. The Wildlife Commission’s policy is to only issue warnings during the first year as an educational component. This issue will be placed on the February 4 Agenda.

Chairman McMahan 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)(5) Real Property (Southern Lumber, Tuckaseegee Mills). 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.

(9) GLENVILLE SRC SITE LEASE: A 2-year lease expiring, December 31, 2010, was presented. Commissioner Massie moved to approve the lease. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

At 8:30 p.m., Chairman McMahan recessed the meeting until 5:00 p.m., February 4, 2008.

Attest:

Evelyn B. Baker, Clerk

Approved:

Brian Thomas McMahan, Chairman