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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
AUGUST 18, 2008**

The Jackson County Board of Commissioners met in a Regular Meeting on August 18, 2008 at 6:00 p.m., 401 Grindstaff Cove Road, Room A201, Sylva, North Carolina.

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

Chairman McMahan called the meeting to order.

AGENDA: Chairman McMahan added Nick Breedlove Presentation, Southwestern Child Dev., CJPP Reorganization Plan, Whittier Sewer MOU, and Pearl Hill Proclamation. 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 Public Hearing of August 7, 2008 and Minutes of the Regular Meeting of August 7, 2008. Commissioner Shelton seconded the Motion. Motion carried.

INFORMAL COMMENTS BY THE PUBLIC:

(a) Marie Leatherwood of Sylva stated she was still concerned about the discrepancies in the financial history of the EDC and Jackson Development Corporation. EDC was not audited for four years, was unbonded and using a private bank account. She requested that the EDC be abolished and a "Citizens Advisory Board" be created.

(b) Emma Wertenberger of Dillsboro and Chair of the Monteith Farmstead Restoration Project stated that Dillsboro has lost one of its large tourism attractions, the Great Smoky Mountains Railroad. The Monteith project will fill that gap and heritage tourism is the largest and fastest growing entity of the tourism industry. She requested that the Board meet with her committee to discuss the project and ways to work together to fund and get it open a lot faster than anticipated.

(c) Carl Iobst of Cullowhee stated there is approximately \$700,000 in public monies unaccounted for by the EDC/JDC. He requested that the EDC be dissolved immediately and an accounting of all the monies the JDC has accessed and spent.

(d) Jim McCarthy of Greens Creek stated the statutes allow the county, under the "open records act", access to JDC records because public monies were involved and the EDC has not been audited since 2002.

(1) CHAIRMAN'S REPORT: Chairman McMahan stated that he did not know what is missing from the EDC/JDC records. The county has nothing to hide and the county never gave money to the JDC. All funds transferred to JDC were from the EDC.

Because of the Labor Day Holiday, September meetings were rescheduled on September 8 and September 23.

(2) COMMISSIONERS REPORTS: Commissioner Massie stated he is still concerned about the EDC/JDC. EDC should have had two audits and be made available to the public. The county still needs the audit that was required before the EDC was reconstituted in July 2008. The last fiscal year audit should be completed by the end of October 2008.

<u>Funding Currently Available:</u> Federal (Vision 100) – 2005 - \$143,023 2006 - 150,000 2007 - 150,000 2008 - 111,240 (may increase to \$150,000) \$554,263 or \$593,023 Local Match Needed: 61,585 or \$ 65,892 \$615,848	
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He stated the \$405,000 federal funds for the years 2002- 2004 were insufficient to make all improvements recommended in the feasibility study, but the airport must be brought up to safety standards. The Forest Service has volunteered to install a rainwater-monitoring censor at no cost. The cost for ditch stabilization at the Ammons property is \$63,600. Local match funding is needed within 30 days.

Greg Hall stated that on any given day there are approximately 15 planes that either are in the air or tied down. About one-half of those planes are owned by Jackson County citizens who make up about one-half of the waiting list for hangars. There is an average of 10 flights per day. Commissioner Massie stated that local funds should not be used for building hangars and after the sediment problem is solved, it is the responsibility of the Airport Authority to generate the revenue it needs to maintain all facilities. Commissioner Cowan requested an accounting of all local dollars allocated to the airport since it was built. Carry over request for funding.

(9) CJPP REORGANIZATION: Judge Brad Letts reported that the Advisory Board was unable to place the director position under the Clerk of Court’s office because it is administered though the Administrative Office of the Courts. The Advisory Board ascertained the best course of action was to partner with Swain County and hire a director. Swain County has agreed to forward its grant funds to Jackson County for FY2008-09. Jackson County will disburse all payments required for the program. He stated that if and when grant funds cease or are insufficient to cover the salary and benefits, the employee position would be terminated, and will not create a new county employee position. The present Jackson County and Swain County boards will be dissolved and a new Jackson-Swain Board created to serve both counties. The total combined funding is \$106,336 effective July 1, 2008. Swain County is providing office space. Mr. Westmoreland stated that the Qualla Community Center will be made available for the director to meet and counsel clients. Commissioner Massie moved to approve the reorganization plan. Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.

(10) CASHIERS RECREATION CENTER: Dan Duckham, Architect, presented architectural drawings and design plans for the new facility. The facility is approximately 24,500 sf with about 130 parking spaces to serve the rec center, maintenance and county office buildings. Mr. Westmoreland stated that \$4.5 million has been budgeted for the facility. The site work bid (\$2.3 million) came in under budget. A maintenance building will cost \$250,000 which will also be used by the grounds department. The site work will begin when a permit is received from the NC Division of Water Quality which the engineer has been informed has been approved. It will be next spring before the building phase will be advertised for bids.

Commissioner Massie stated he was concerned about a cost of \$6.8 million for a recreation facility when the Cullowhee Center is smaller and serves the entire county. He recommended that the plans be reviewed and ascertain how some costs and expenses can be reduced. Jeff Carpenter, Recreation Director, stated the annual operating costs would be approximately \$250,000. Commissioner Jones stated he is appreciative of having a facility in Cashiers and it is a substantial amount of money for such a small area; however, due to inclement weather conditions and traveling distance, Cashiers residents cannot always travel to Cullowhee. A work session will be scheduled at a later date to review the project.

(11) SMART ROADS-TRANSPORTATION TASK FORCE: Susan Leveille, member of the task force, stated that the DOT Transportation Coordinator of the Southwestern Planning Commission and the Smart Roads Alliance would like to schedule traffic expert Walter Kulash to meet with all Transportation Task Force members, city and county officials and the public on September 25 to discuss options for future transportation needs. The task force will consult with Mr. Kulash during the process of drafting recommendations for the county. She requested that the Board appropriate Mr. Kulash's fee in the amount of \$900.00. Chairman McMahan moved to appropriate \$900.00 from contingency. Commissioner Jones seconded the motion. Motion carried by unanimous vote.

(12) SOUTHWESTERN CHILD DEVELOPMENT: Sheila Hoyle, Director, stated that the nonprofit agency has operated a child development center in western North Carolina for the past 36 years. The agency is faced with a dilemma of no longer being able to offer services at the Cashiers Center because that program is not self-sustaining. The program has critical needs in the community and requested county assistance in keeping the program going for the next year. During the year, they would work with other pre-school programs in the Cashiers community and other early childhood education systems and try to come up with a plan to provide permanency. The deficit last year was \$72,000. With a set amount from the county, a set amount from community contributions and agency funds, the agency will work with other partnering agencies to keep the daycare open for a year until sustainability is planned. She requested \$35,000 - \$50,000 with a caveat that the agency will work with community committees to develop a sustainability plan to be put in place next July 1. Vanna Cameron stated there is no other daycare center in Cashiers. The center has 33 children and all are from low income families. She requested the county to assist the center. Commissioner Jones stated that the Cashiers Community Council spent approximately \$25,000 to bring the facility up to safety standards. Four years ago when the county appropriated funds, they were able to keep the center open for an additional four years. There will be no infant care in Cashiers if the center is closed. The agency does receive grants, state funding through Smart Start, the childcare feeding program, small amount from VPI, and has participated in all funding streams possible for rural communities. Carry over request for funding.

(13) SCOTTS CREEK BRIDGE EASEMENT: DOT requested a temporary construction easement near the bridge located on Hospital Road (SR1437) below the Health Dept. Mr. Westmoreland stated there is no impediment to county property with a temporary or permanent easement. Commissioner Jones moved to approve the easement. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(14) SENIOR CENTER BIDS: Mr. Westmoreland reported that ten bids were received. The project was divided into two components with the first being the site work in the amount of \$2,770,000. The facility budget is \$3.8 million. He stated the project is under budget at this point by \$371,000. He recommended, along with Architect Grant Tharp, that the lowest and most responsible bidder, David E. Looper & Co. of Hickory, NC be awarded the bid in the amount of \$4,171,000. Commissioner Shelton moved to accept the bid. Commissioner Jones seconded the Motion. Commissioner Massie recommended that the architect remove some portions of the project and reduce the cost to \$3.8 million. Motion carried by a vote of 4-1 with Commissioner Massie voting "no".

(15) PEARL ROGERS HILL PROCLAMATION: Commissioner Cowan moved to ratify the Proclamation presented to Ms. Hill of the Willets Community in honor of her 88th birthday. Commissioner Massie seconded the Motion. Motion carried by unanimous vote.

(16) WHITTIER SEWER PROJECT MEMORANDUM OF AGREEMENT:

Chairman McMahan stated that a Memorandum of Agreement among the US Dept. of Agriculture, Rural Development, NC Historic Preservation Office, Eastern Band of Cherokee Indians, Jackson County, and the Whittier Sanitary District “Regarding Mitigation of Adverse Effects on Archaeological Resources for the Whittier Sewer Project” was submitted because the Tribe was concerned about land disturbance in archaeological sensitive areas. Commissioner Shelton moved to approve the agreement contingent upon Attorney Holt’s approval. Chairman McMahan seconded the Motion. Motion carried by unanimous vote.

There being no further business, Commissioner Massie moved to adjourn the meeting. Commissioner Jones seconded the Motion. Motion carried by unanimous vote and the meeting adjourned at 9:15 p.m.

Attest:

Approved:

Evelyn B. Baker, Clerk to Board

Brian Thomas McMahan, Chairman