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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
OCTOBER 20, 2008**

The Jackson County Board of Commissioners met in a Regular Meeting on October 20, 2008 at 6:00 p.m., 401 Grindstaff Cove Road, Room A201, Sylva, North Carolina.

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

Chairman McMahan called the meeting to order.

AGENDA: Chairman McMahan amended the Agenda by removing “Fire Dept. Contracts” which will be placed on an Agenda at a later date. Commissioner Jones moved to approve the amended Agenda. Commissioner Cowan seconded the Motion. Motion carried.

MINUTES: Commissioner Cowan moved to approve the Minutes of the Regular Meeting of October 6, 2008. Commissioner Shelton seconded the Motion. Motion carried.

INFORMAL COMMENTS BY THE PUBLIC:

(a) Marie Leatherwood of Sylva the EDC’s use of public monies has not been properly supervised, the county made no investigations before it paid off JDC debts in the amount of \$1.674,000, and a member of the EDC and JDC was appointed to the vested rights committee which is a conflict of interest because the individual represents Legasus.

(b) David Galloway of Cullowhee stated he and Ms. Leatherwood share the same strong beliefs and the JDC and EDC are to be held accountable for all violations of the law and certainly for the financial damage to the citizens of this county and a “missing \$700,000”.

(c) Mary Jo Cobb of Tuckasegee stated the United Neighbors of Tuckasegee is sponsoring Dr. Steve McNulty, a research ecologist for the U.S. Forest Service’s Global Change Program, on Oct. 25, 6:30 p.m. at the WCU- Mountain Heritage Center. She thanked the Board for making the public aware of water issues because of the continued drought.

(d) Jim McCarthy of Greens Creek stated a Jackson County Citizen Action Group (JAG) has been formed to prompt individual participation in community affairs. A meeting is scheduled on October 22, 7:00 pm at the City Lights Bookstore.

(1) Chairman McMahan, on behalf of the Board, extended condolences to the family of former county attorney, Raymond Large.

(2) FINANCE & TAX COLLECTOR REPORTS FOR SEPTEMBER 2008:

Darlene Fox, Finance Director, gave the following highlights:

<u>General Fund Revenues Collected to Date</u>	<u>\$ 9,595,805.51</u>
<u>General Fund Expenditures to Date</u>	<u>\$ 12,194,070.90</u>
<u>Ad Valorem Tax Collected</u>	<u>\$ 3,797,188.17</u>
<u>Motor Vehicle Tax Collected</u>	<u>\$ 184,419.06</u>
<u>Sales & Use Tax for July 2008</u>	<u>\$ 1,101,257.76</u>
<u>Solid Waste Disposal Fees</u>	<u>\$ 211,087.60</u>
<u>Contingency Balance</u>	<u>\$ 12,160.00</u>

BUDGET AMENDMENTS:

<u>General Fund (Judaculla Rock)</u>	<u>\$ 17,000.00</u>
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Commissioner Cowan moved to approve the September 2008 Finance & Tax Collector's reports and Budget Amendments. Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.

(3) CASHIERS RECREATION CENTER: Carry over.

(4) DILLSBORO INTERLOCAL AGREEMENT –EAST DILLSBORO REVITALIZATION PROJECT (CDBG 06-C-1613): Mr. Westmoreland stated the Town of Dillsboro adopted a resolution requesting that the county enter into an Interlocal Agreement to assume responsibility for administration of its Scattered Site Housing Program. The balance of the administrative fees from the grant will be paid to the county which would be allocated to the county's CDBG operating fund for additional projects. The Community Development Dept. will be responsible for the project. Commissioner Shelton moved that the county execute the Interlocal Agreement. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(5) SCATTERED SITE HOUSING PROGRAM (July – September 2008): Joan Stillwell, Community Development Director, reported that the five original projects are complete. The county was awarded an additional \$100,000 for a sixth project which will be completed by October 31. Work in progress includes site visits/inspections and taking new applications for the 2009 program. There have been no problems or delays. The only expenditure for the quarter was \$62,000 in project funds. She stated that \$90,000 of the county's \$150,000 allocation has been obligated for a house for a six-member family.

(6) FIRE DISTRICT MAPS: Alan Farmer, Fire Marshal, stated that the county must update its fire district maps every three years. He presented new fire district maps which reflect additional areas that were previously classified by the Dept. of Insurance as "unprotected". The Dept. of Insurance will only recognize a six-mile drivable area from the fire stations. Chairman McMahan moved to approve the revised fire district maps for Balsam-Willets-Ochre Hill VFD, Canada VFD, Cashiers-Glenville VFD, Cullowhee VFD, Savannah VFD, Sylva VFD, and Qualla VFD. Commissioner Cowan seconded the Motion. The various fire departments have approved the maps. Motion carried by unanimous vote.

(7) RESOLUTION - DESIGNATION OF APPLICANT'S AGENT (R08-18):

The purpose of the resolution is to appoint and authorize as primary agent, Kenneth Westmoreland, and Todd Dillard as secondary agent, to file applications for federal and/or state disaster assistance. Commissioner Cowan moved to adopt the resolution. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(8) RESOLUTION - ASSIGNMENT OF CABLE TV FRANCHISE FROM MEDIACOM TO MORRIS CABLE (R08-19):

Mr. Westmoreland stated that Mediacom has requested that the county adopt a resolution authorizing the assignment of its franchise/ordinance to Morris Cable, LLC, who would become the franchisee for the cable system serving the county. Morris Cable has agreed to adopt the franchise ordinance which expires in ten years. The county attorney has reviewed and recommends adoption of the resolution. Commissioner Shelton moved to adopt the resolution. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(9) AIRPORT AUTHORITY APPOINTMENT: Carry over.

(10) ECONOMIC DEVELOPMENT COMMISSION APPOINTMENT:
Carry over.

(11) CASHIERS DESIGN REVIEW BOARD: Carry over.

(12) COUNCIL ON AGING: Commissioner Cowan moved to appoint Sandy Bryson to the Council on Aging Board of Directors for a term of 3 years. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(13) WATER STUDY TASK FORCE: Commissioner Shelton moved to appoint Commissioner Tom Massie to the task force. Chairman McMahan 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. Commissioner Shelton seconded the Motion. Motion carried.

Chairman McMahan called the regular meeting back to order and stated no action was taken in closed session other than approval of the minutes.

There being no further business, Commissioner Cowan moved to adjourn the meeting. Commissioner Shelton seconded the Motion. Motion carried and the meeting adjourned at 6:45 p.m.

Attest:

Approved:

Evelyn B. Baker, Clerk to Board

Brian Thomas McMahan, Chairman

