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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
SEPTEMBER 6, 2011**

The Jackson County Board of Commissioners met in a Regular Session on September 6, 2011, 2:00 pm, Justice & Administration Bldg., Room A201, 401 Grindstaff Cove Rd., Sylva, North Carolina.

Present: Jack Debnam, Chairman	Chuck Wooten, County Manager
Doug Cody, Vice Chair	J. K. Coward, County Attorney
Charles Elders, Commissioner	Evelyn Baker, Clerk to Board
Mark Jones, Commissioner	
Joe Cowan, Commissioner	

Chairman Debnam called the meeting to order.

AGENDA: Commissioner Elders moved to approve the Agenda. Commissioner Jones seconded the Motion. Motion carried.

MINUTES: Commissioner Elders moved to approve the Minutes of the Regular Meeting of August 15, 2011. Commissioner Cody seconded the Motion. Motion carried.

PROCLAMATION HONORING FIREFIGHTERS: Chairman Debnam read and presented a proclamation to the Fire Chiefs proclaiming the week of September 11-17 as Firefighters Week. He thanked all firemen for their service to the county.

Motion: *Commissioner Jones moved to proclaim September 11-17 as Firefighters Week in Jackson County. Commissioner Cody seconded the Motion. Motion carried.*

(1) CHAIRMAN'S REPORT: Chairman Debnam reported that he attended several informative workshops at the recent NCACC District Meeting in Concord. At that conference, Ronnie Beale of Macon County was elected as First Vice President.

(2) COMMISSIONER REPORTS: Commissioner Cowan urged everyone to attend the "Medicaid Waiver 101" Sessions on September 8, 4:00 – 6:00 p.m. at the Smoky Mountain Center in Sylva. Commissioner Jones reported that he and Commissioner Cody met with the Airport Authority Board earlier today. The Authority is moving forward with the 5' runway widening project which is a safety issue.

(3) COUNTY MANAGER REPORT: Mr. Wooten reported:

(a) ECU Dental Clinic: The ECU Dental Clinic has presented a tentative plat for review and consideration. The site is located in the Webster Complex adjacent to the Rescue Squad facility. The prototype facility is approximately 8400 sq ft with an option to expand by another 1900 sq ft. When completed, 10 permanent staff will be located in the facility and fourth year dental students will do rotations throughout the year.

(b) Hurricane Irene: Todd Dillard, Emergency Mgmt. Director, stated the State Emergency Management Office deployed him to Butner for seven days to assist with the hurricane situation.

James Lee Buchanan, Building Inspections Dept., was also deployed to assist with home inspections. The county has previously agreed to participate in a mutual aid agreement with the NC Building Inspectors Association to assist during emergency/disaster situations. All travel and subsistence costs associated with the deployment of county employees are covered by the State.

(c) Medicaid Waiver for Smoky Mountain Center (SMC): SMC has been selected through a competitive process to receive a Medicaid Waiver as part of the State's Waiver Expansion Initiative. This allows SMC to establish a public management program for administering all Medicaid funds for individuals with behavioral and developmental disabilities throughout their service area.

(d) Unemployment: The July unemployment rate of 8.7% is down from the June rate of 9.1%. Jackson County continues to have one of the lowest unemployment rates in western North Carolina.

(e) Cashiers Recreation Center: Ten general contractors have been pre-qualified for this project. Bids were advertised on Tuesday, August 31st. Bids will be opened on Thursday, September 22nd at 2:00 pm in Room A227 of the Justice Center.

(f) Library Complex: The Town of Sylva has constructed a sidewalk on Keener Street to provide access to the facility without requiring patrons or employees to walk in the street. In addition, the Fontana Library has asked its employees to park at the Bicentennial or Mark Watson Park in order to retain the spaces closer to the building for library patrons.

(4) CDBG GRANT ADMINISTRATIVE SERVICES CONTRACT: Gerald Green, Planning Director, stated that the county is the recipient of \$216,000 in CDBG funding to construct two scattered site houses in the county. On July 18th Grant Administrators, Inc. was awarded a contract to provide administrative services for the program; however, since that time he has been unable to negotiate a fee that is within the budget. He contacted the other firm that submitted a proposal, Mountain Projects, Inc., who has agreed to administer the program for a fee within the available budget. He recommended that Mountain Projects, Inc. be designated the program administrator for the \$216,000 grant with the costs to be billed on a per hour basis, but not to exceed 8% of the construction/project costs.

Attorney Coward stated the Motion to award the administrative services contract to Grant Administrators, Inc. at the July 18, 2011 Board Meeting must be rescinded before a new contract can be considered.

Motion to Rescind: *Commissioner Jones moved to rescind his motion made on July 18, 2011 awarding an administrative services contract to Grant Administrators, Inc. Commissioner Cody rescinded his second. Motion carried by unanimous vote.*

Motion: *Commissioner Jones moved to award an administrative services contract to Mountain Projects, Inc. for the \$216,000 CDBG grant with the costs to be billed on a per hour basis not to exceed 8% of the construction/project costs. Commissioner Cody seconded the Motion. Motion carried by unanimous vote.*

(5) SHERIFF – CIVIL PROCESS FEES: Sheriff Ashe requested that out-of-state civil process fees be increased from \$50.00 to \$100.00. Pursuant to G. S. 153A-102, the Board of Commissioners is authorized to fix the out of state civil process fees. On August 1st, the in-state civil process fees increased from \$15.00 to \$30.00. From 1/11/11 – 9/6/11 his office served 1392 civil process papers. He currently has one contract service person, but with additional fee revenues he could hire an additional part-time contract service person.

Chairman Debnam stated he preferred that the fee reserve accumulate for a couple of months before an additional contract person is considered. Sheriff Ashe was requested to present an update of civil process revenues at the first Board meeting in October.

Motion: *Commissioner Cowan moved to increase out-of-state civil process fees from \$50.00 to \$100.00. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(6) GLENVILLE COMMUNITY CENTER: A request has been made for the county to appropriate \$6,000 towards replacement of the roof. The county does not own Glenville Community facility. The county provides annual support in the amount of \$1,500 to each community center to offset a portion of operating expenses. Mr. Wooten suggested the county consider advancing the annual allocation for three future years totaling \$4,500 which, combined with the current year allocation, would generate the requested \$6,000; however, the Glenville Community Center would not receive any further county funds until FY2015-16. Marvin Smith, President of the Glenville Community Development Club has agreed to that proposal. In the alternative, an appropriation could be made from the \$50,000 set aside in the current budget.

Darlene Fox, Finance Director, was requested to provide an update of funding to each community development club for the past five years. Carry over.

(7) CULLOWHEE FIRE DEPT. PROPERTY: Attorney Coward stated that on July 20, 2009, Jackson County and the Cullowhee VFD entered into a Lease Agreement for lands as described in Book 1813 at page 537. In 2010, the county and State negotiated an exchange of real property. The property the State received from the county is part of the property under the Lease Agreement. The State does not want to hold title to property subject to a Lease Agreement and has requested Jackson County and the Cullowhee VFD to surrender possession of the real property the State received in the exchange. The exchange deeds are recorded in Book 1899 at page 384 and Book 1899 at page 372. Mr. Coward recommended execution of a Partial Termination of the Lease Agreement.

Motion: *Commissioner Jones moved to authorize execution of the Partial Termination of Lease. Commissioner Cody seconded the Motion. Motion carried by unanimous vote.*

(8) AMBULANCE CONTRACTS: Attorney Coward presented the negotiated WestCare Emergency Medical Service ambulance service contract for the period of September 1, 2011 through August 30, 2016 at a cost of \$540,000 per year plus an annual CPI adjustment. WestCare will provide services to the county in general except for the area from Thorpe Power dam south to the South Carolina line and the area south from 7000 Cullowhee Mountain Road to the South Carolina line as the same is served by the Glenville-Cashiers Rescue Squad.

The Glenville-Cashiers Rescue Squad contract cannot be finalized until arrangements for billing are completed. In the interim, WestCare has agreed to continue to be the billing agent.

Motion: *Commissioner Cody moved to approve the WestCare Ambulance contract. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(9) ABANDONED MANUFACTURED HOMES RESOLUTION (R11-17): Chad Parker, Solid Waste Director, previously reported that funds are available for the cleanup of abandoned manufactured homes (AMH) through a state grant. At the Board's request, the county attorney revised the grant application paragraph entitled "Eligibility" on page 6 and paragraph "E. Agreement/Consent" on page 13 requiring that title holders must deliver a receipt showing the title of the manufactured abandoned home has been turned in to the DMV and is deemed "junked out". Mr. Parker requested authorization to file a grant application and that the Solid Waste Plan be amended to include the AMH Program.

Motion: *Commissioner Elders moved to adopt the resolution and amendment to the Solid Waste Plan. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(10) COUNTY MANAGER POWERS AND DUTIES RESOLUTION (R11-18): The resolution gives the county manager the powers and duties set forth in G. S. 153A-81(1) with the exception that in the case of department heads, the county manager shall immediately notify the commissioners of a resignation and shall in advance review with the Board any proposed appointment, suspension or removal of a department head.

Motion: *Commissioner Cody moved to adopt the resolution. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.*

(11) GOVERNOR'S HIGHWAY SAFETY PROGRAM RESOLUTION (R11-19): The resolution is an annual application through the Governor's Highway Safety Program for federal funding in the amount of \$10,000 and does not require a local match.

Motion: *Commissioner Jones moved to adopt the resolution. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(12) HISTORIC PRESERVATION COMMISSION:

Motion: *Commissioner Cowan moved to appoint Jennie Ashlock to a 3-year term on the Historic Preservation Commission. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(13) **PLANNING BOARD:** Commissioner Cody recommended Ben Bergen be reappointed. Commissioner Jones recommended Sue Bumgarner be reappointed. Commissioner Cowan recommended Richard Frady be reappointed. Commissioner Elders recommended that David Brooks be appointed.

Motion: *Commissioner Cody moved to reappoint Ben Bergen, Sue Bumgarner and Richard Frady and appoint David Brooks, all for 2-year terms, on the Planning Board. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(14) **LIBRARY BOARD:** By letter, the Library Board stated Sandra Burbank has moved out of the county and recommended that Mary Otto-Selzer be appointed to fill her unexpired term on the Library Board.

Motion: *Commissioner Jones moved to appoint Mary Otto-Selzer to fill the unexpired term of Sandra Burbank on the Library Board. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.*

(15) **TRANSPORTATION ADVISORY BOARD:** Chuck Norris, Transit Director, recommended that Henry Dowling be appointed as Webster Enterprises representative on the Transportation Advisory Board.

Motion: *Commissioner Elders moved to appoint Henry Dowling as Webster Enterprises' representative on the Transportation Advisory Board. Commissioner Jones seconded the Motion. Motion carried by unanimous vote*

INFORMAL COMMENTS BY PUBLIC:

Marie Leatherwood of Sylva stated she has met with Dean Coward, CPA, concerning financial reports for JDC.

PRESS CONFERENCE

CLOSED SESSION:

Motion: *Chairman Debnam moved that the Board go into closed session pursuant to G. S. 143-318.11(a)(6) Personnel. Commissioner Elders seconded the Motion. Motion carried.*

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

There being no further business, Commissioner Elders moved to adjourn the meeting. Commissioner Cody seconded the Motion. Motion carried and the meeting adjourned at 4:00 p.m.

Attest:

Evelyn Baker, Clerk to Board

Approved:

W. J. Debnam, Chairman

