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Time Posted: \_\_\_\_\_  
Posted By: Pat Parris  
Witnessed By: \_\_\_\_\_

**MINUTES OF A  
REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
MAY 7, 2012**

The Jackson County Board of Commissioners met in a Regular Session on May 7, 2012, 2:00 pm, Justice & Administration Bldg, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Jack Debnam, Chairman  
Doug Cody, Vice Chair  
Charles Elders, Commissioner  
Mark Jones, Commissioner  
Joe Cowan, Commissioner

Chuck Wooten, County Manager  
J. K. Coward, Jr., Co. Attorney  
Pat Parris, Clerk to Board

Chairman Debnam called the meeting to order.

**AGENDA:** Chairman Debnam amended the Agenda by adding Library and Sylva Volunteer Fire Department. Commissioner Elders moved to approve the amended Agenda. Commissioner Jones seconded the Motion. Motion carried.

**MINUTES:** Commissioner Elders moved to approve the Minutes of the Regular Meeting of April 16, 2012 and Work Session of April 23, 2012. Commissioner Cowan seconded the Motion. Motion carried.

**PROCLAMATION - NATIONAL LAW ENFORCEMENT WEEK:** Chairman Debnam read a Proclamation designating May 13-19 as National Law Enforcement Week and May 15 as National Law Enforcement Officers Memorial Day.

**Motion:** *Commissioner Cowan moved to proclaim May 13-19 as National Law Enforcement Week and May 15 as National Law Enforcement Officers Memorial Day. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(1) **CHAIRMAN'S REPORT:** Chairman Debnam urged everyone to get out and vote.

(2) **COMMISSIONER REPORTS:** Commissioners Jones urged everyone to vote. Commissioners Elders stated he has had a lot of local citizens and some from other counties contacting him regarding the local hospital. He urged everyone to stand by the hospital. Commissioner Cody stated it was very important to support the hospital and encouraged everyone to vote because there are several very important issues on the ballot.

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

(a) **Uninsured Residents:** The North Carolina Institute of Medicine released a report containing information about uninsured individuals in North Carolina by age and county. During FY 2009-10, Jackson County was listed as having 7,000 residents between the age of 0 and 64 without health insurance. This represented 20.4% of the population and was the highest uninsured percentage in western North Carolina. The report classifies Jackson County in the mid-high category when compared with all counties in NC. Overall, the State had an uninsured percentage of 19.6%.

(b) **Unemployment – March 2012:** The unemployment rate for Jackson County during March 2012 was 10.4%. This is a decline of .8% from February; however, the March 2012 rate of 10.4% is higher than the March 2011 rate of 10.1%. Jackson County continues to have the fourth lowest rate in Western North Carolina trailing Clay County (9.9%), Haywood (9.3%), and Transylvania County (10.2%).

(c) **Regional Building Permit Report:** The first quarter of 2012 resulted in an increase in residential building permits in most counties. Jackson County issued 36 residential building permits which was 15 more than the first quarter of 2011 and was back to the level of 2010 when 37 residential building permits were issued.

(d) **Economic Development Sub-Committee:** This group had its second meeting on May 1<sup>st</sup> and is working on the development of a strategic economic development plan to present to the Commissioners. The group meets every two weeks and Doug Cody represents the Commissioners on the committee.

(e) **Internet Service:** Calls and inquiries continue about the Metrostat assets. BalsamWest and DNet are preparing proposals for consideration. A meeting with another group of interested individuals is scheduled next week. Many residents have called about the lack of internet or the poor quality of existing internet services.

(f) **Southwestern Community College:** He met with representatives from SCC this week to discuss the financial plan for the completion of the Burrell Building. Funds were committed by the County in 2006 to match the State Bond funds for construction of the Burrell Building and a portion of those funds was utilized to construct the Early College Building a couple of years ago. A budget amendment will be presented to restore the necessary funds to complete the County match on the Burrell Building. In addition, Mr. Coward and he will be working with Mr. Holt and the State Property Office to get a final piece of property transferred to the County that was omitted in the original transfer related to the property swap between the County and the NC Forest Service.

(g) **FY 2012-13 Budget:** The proposed FY 2012-13 budget will be presented on May 21<sup>st</sup>. Final actions are being completed; however, the proposed budget will not vary significantly from the current budget. The proposed budget will reflect maintaining the current tax rate of 28 cents and a modest salary increase of \$650 will be proposed for employees with an annual salary of less than \$40,000. Overall, the total number of budgeted positions will be less than the current budget.

(h) **Work Sessions:** A joint work session with the SCC Board is tentatively scheduled for Monday, May 21<sup>st</sup> at 11:45 a.m. followed by a second work session at 2:30 p.m. at the Justice Center to begin the review process of the FY 2012-13 Budget.

**(4) CONSENT AGENDA:** Darlene Fox, Finance Director, presented one budget amendment and three Grant Project Ordinances: NC Economic Recovery Program Project 02-D-2096 in the amount of \$216,088.93, NC Economic Recovery Program Project 10-C-2144 in the amount of \$500,000 and NC Tomorrow Project 11-C-2267 in the amount of \$50,000.

***Motion:** Commissioner Jones moved to approve the Consent Agenda. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(5) **JUVENILE CRIME PREVENTION COUNCIL**: Steve Lillard, JCPC Chair, stated the Dept. of Juvenile Justice allocates funds to counties on an annual basis. He presented the selected programs, certification, membership list, and proposed funding for FY2012-13 in the total amount of \$242,914.00. The selected programs are Aspire Day Treatment, Project Challenge, and Hawthorne Heights and Compass. The required local match is \$32,110.00.

***Motion:** Commissioner Jones moved to approve the programs, certification, funding plan and membership list. Commissioner Cody seconded the Motion. Motion carried by unanimous vote.*

(6) **ALLISON OTUDOOR ADVERTISING LEASE**: The proposed lease is for two billboards located on the Emergency Management property located on Hwy. 441S at a rental of \$1,600.00 per year for a term of 5 years and subject to the following restriction: “At times when the billboards are vacant, the County may advertise at Allison’s actual cost of materials. Allison shall not allow third parties to use the billboards for political advertisement or issues, or for promotion of subjects which are politically sensitive, or which might tend to imply the County of Jackson has taken a position in regards to a particular political matter.”

After further discussion concerning the term and rent, Mr. Wooten was instructed to continue negotiations.

***Carry Over***

(7) **JUSTICE ASSISTANCE GRANT**: Lieutenant Clyde Rice presented a 2011 Justice Assistance Grant application in the amount of \$10,350.00. The funds will be used by the Sheriff’s Office to purchase replacement and/or upgraded equipment. No local funds are required.

***Motion:** Commissioner Cowan moved to approve the grant application. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(8) **GREEN ENERGY PARK**: Timm Muth presented Articles of Incorporation of Friends of Green Energy Park, a 501c3 non-profit corporation. The corporation will have a board of directors, but not members. The By-Laws state the purposes of the corporation are to: (i) accept and retain donations for the Green Energy Park; (ii) financially assist the park in the utilization of clean renewable energy resources to promote improvements to the natural environment and local air quality; (iii) support the park in educating the community about environmental problems associated with landfill gases and the advantages of renewable energy, energy conservation and sustainable building.

The corporation was established to provide guidance and raise funds. The park needs a sustainable income of at least \$300,000 per year for operations and staffing. The sustainability plan includes a County appropriation of \$132,000 for FY2012-13, \$100,000 for FY2012-14 and \$100,000 for FY2014-15.

**(9) OCCUPANCY TAX:** Mr. Wooten stated that at the work session on April 23, 2012, it was the consensus of the Board to request a delay of the implementation of House Bill 96 until January 1, 2013 to allow the subcommittee to complete its work and submit a report to the Commissioners. Subsequently, Rep. Phil Haire submitted Bill Draft 2011-SV-15(v.1)(4/25) which states:

“A BILL TO BE ENTITLED AN ACT TO POSTPONE THE EFFECTIVE DATE OF CHANGES MADE TO THE JACKSON COUNTY OCCUPANCY TAX DURING THE 2011 REGULAR SESSION OF THE GENERAL ASSEMBLY

The General Assembly of North Carolina enacts:

Section 1: Section 7 of S. K. 2011-170 reads as rewritten;

‘Section 7. Part II and Section 5 of this act become effective January 1, 2013.

The remainder of this act is effective when it becomes law.’

Section 2. This act is effective when it becomes law”.

***Motion:*** Commissioner Cowan moved to approve the bill draft. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

**(10) SAVANNAH AND SYLVA FIRE INSURANCE DISTRICT BOUNDARY RESOLUTIONS (R12-09) and (R12-11):** Todd Dillard, Emer. Mgmt. Director/Fire Marshal, requested approval of revised fire district maps for the Savannah and Sylva Fire Insurance Districts which reflect additional areas.

***Motion:*** Commissioner Elders moved to adopt the Resolutions revising the Savannah and Sylva fire insurance district boundaries. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

**(11) LIBRARY:** Dottie Brunette, Librarian, presented the proposed budgets for the Jackson County and Cashiers Libraries:

**Jackson County Library:** Total budget request of \$772,300 which includes increasing operational hours to 50 per week, 3 new part-time staff to support the additional hours and a cost of living increase of 3.6% for staff.

**Albert-Carlton Cashiers Community Library:** Total budget request of \$279,210 which includes an additional position to support the increased demands for services and a cost of living increase of 3.6% for staff.

**Reading Rover:** Budget request of \$12,000.

**Total Budget:** \$1,063,510.

**(12) SHOOK COVE RD. RESOLUTION (R12-10):** Ashley Queen and Kim Coward presented a Petition signed by property owners requesting that DOT maintenance of Shook Cove Road (SR1135) be extended an additional 1.2 miles.

***Motion:*** Commissioner Cody moved to adopt the Resolution. Commissioner Jones seconded the motion. Motion carried by a vote of 3 to 2 with Commissioner Cowan and Chairman Debnam voting “nay”.

**(13) COMMUNITY ADVISORY COMMITTEE FOR LONG TERM CARE:**

**Motion:** *Commissioner Elders moved to reappoint Nancy Buchanan to a 3-year term on the Community Advisory Committee for Long Term Care. Commissioner Cody seconded the motion. Motion carried by unanimous vote.*

**Informal Comments:**

- (a) Marie Leatherwood of Sylva stated her dissatisfaction with the Board.
- (b) Bob Stafford of Glenville recommended that the Board consider naming the recreational center in Cashiers as the “Cashiers-Glenville Recreation Center”.
- (c) Jim Mueller of Glenville stated he supports naming the recreation center the “Cashiers-Glenville Recreation Center”.
- (d) Avram Friedman of Dillsboro urged the Board to place a resolution on the next agenda requesting congressional action for an amendment to the U. S. Constitution to establish that money is not free speech and that human beings, not corporations, are persons entitled to constitutionally protected political speech.
- (e) Pat Montee of Sylva requested the Board to pass a resolution in support of an amendment to the Constitution declaring that human beings, not corporations are persons and money is not free speech.
- (f) Bill Christopher of Cashiers stated it is critical that rights and privileges be distinguished and encouraged the Board to pass a resolution in support of an amendment to the Constitution.
- (g) Lucy Christopher of Cashiers requested support of a constitutional amendment that will protect individual alienable rights.
- (h) Madeleine Watt of Cashiers stated a resolution requesting an amendment to the Constitution deserves consideration and requested that it be placed on the next agenda.
- (i) Allen Lomax of Sylva requested the County to pass a resolution in support of amending the Constitution.
- (j) Carolyn Cagle of Sylva urged the Board to adopt a resolution in support of a constitutional amendment.

**Press Conference**

**CLOSED SESSION:**

Chairman Debnam stated there was a need for a closed session pursuant to G. S. 143-318.11(a)(6) Personnel.

**Motion:** *Commissioner Cowan moved that the Board go into closed session. Commissioner Jones seconded the Motion. Motion carried.*

Chairman Debnam called the regular meeting back to order and stated no action was taken in closed session except approval of 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 4:30 p.m.

Attest:

Approved:

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Patsy C. Parris, Clerk to Board

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W. J. Debnam, Chairman