

Posted: 12/12/02  
Time Posted: 2:00 pm  
Posted By: Evelyn Baker  
Witnessed By: \_\_\_\_\_

**MINUTES OF THE REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
DECEMBER 10, 2002**

The Jackson County Board of Commissioners met in a Regular Session on Tuesday, December 10, 2002, at 6:00 p.m. in the Boardroom, Justice & Administration Building, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Stacy Buchanan, Chairman  
Roberta Crawford, Vice Chairman  
Joe Cowan, Commissioner  
Eddie Madden, Commissioner  
Brian McMahan, Commissioner  
W. Paul Holt, Jr., County Attorney  
Evelyn B. Baker, Clerk to the Board

Chairman Buchanan called the meeting to order.

**AGENDA:** Commissioner Crawford moved to approve the Agenda. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote.

**MINUTES:** Chairman Buchanan moved to correct the Minutes of December 2, 2002, page 1, change day of week from “Thursday” to Monday, and page 3, (9) “Jackson/Macon Solid Waste Committee”, add the names of Commissioner Crawford and County Manager. Chairman Buchanan moved to approve the Minutes of the Special Organizational Meeting of December 2, 2002 as corrected. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

**INFORMAL COMMENTS BY THE PUBLIC:** None

**ADMINISTRATIVE REPORTS**

**(1) CHAIRMAN’S REPORT:** Chairman Buchanan reported that a meeting with Macon County be scheduled concerning solid waste. He has suggested four dates in January 2003 and Macon County will confirm one of those dates. Jackson County will host the meeting. He reported he had an informative meeting earlier today with the Mayors and TWSA Board Chairman, Mickey Luker. Further meetings will be scheduled to keep a continuing dialogue.

**(2) COUNTY MANAGER'S REPORT:**

(a) Ashley Corporation paid off its outstanding loan on December 3, 2002, in the amount of \$187,930.62.

(b) The Greenways Coordinator has requested a change in the By-Laws of the Greenways Commission because of problems having a quorum. They want the quorum requirement reduced.

(c) The Cashiers Humane Society has been funded \$2,500 for rabies inoculations and adoptions programs. The Jackson County Humane Society is requesting similar funding. However, documentation on its programs was not received during the budget process. After a series of meetings with Randall Turpin and representatives from the Humane Society on how their programs could be monitored and after receiving satisfactory results, \$2,500.00 was appropriated from the contingency fund for the Jackson County Humane Society for assistance with inoculations and adoption programs similar to Cashiers Humane Society.

(d) Canada Park Pavilion: \$25,000.00 was appropriated for this project in the current budget; however, because of the topography and terrain, the site is experiencing erosion and storm water drainage to the extent that it would be detrimental to that project if these problems are not rectified. The estimate is approximately \$18,000. Authorization is requested to transfer \$18,000 from the Canada Park Pavilion account to pay for storm water and erosion control materials. County forces will supply the labor. A Soil & Water Grant to recover a portion of those funds has been filed.

(e) In the current budget \$395,950 was established through a lease account for the purchase of county vehicular equipment which included the Sheriff's office, 9 vehicles for the Health Department and 7 for Building Inspections. Only 5 of the 7 vehicles for Building Inspections were utilized. It was determined that the remaining two would be utilized by mileage reimbursement to two employees in that department. The Health Department needed 4x4's. Because the Health Department and Building Inspections are not utilizing \$82,605.00 for vehicles, it is requested that those funds be transferred over for the purchase of a utility truck for the Maintenance Department and three 4x4 vehicles for the Grounds Department.

**(3) TAX COLLECTOR'S REPORT FOR NOVEMBER 2002:** Collections are up from the same time period in previous years. Adjustments for collecting delinquent taxes appear to be beneficial.

**(4) TWSA ORGANIZATION AND OPERATIONS:** Mickey Luker, Chairman of the Tuckasegee Water & Sewer Authority Board, stated that a meeting was held earlier this afternoon with the Mayors and Chairman Buchanan. The meeting was very productive. Lines of communication need to remain open between the two Boards. TWSA needs to refocus on community involvement and keep the Commissioners informed and up to date. Plans for continuing meetings with the municipalities and the county manager are being made. The current director is retiring on December 31, 2002, and TWSA is in the process of hiring a new director. Mr. Luker and Mr. Keith Ward are the County's appointees to the TWSA Board.

**(5) SMART GROWTH:** The Planning Department prepared Ordinance Notebooks for the Commissioners and included the Smart Growth Initiative Meeting notes, Development Plan “Task” Force Recommendations, and Vision Statement. Goals and time lines are defined in those documents. Chairman Buchanan requested the prior Board allow the present Board to make the decisions about the direction to take, such as, hiring a consultant, drafting plans in-house, assigning it the Planning Board, or appointing a Task Force. Chairman Buchanan requested that the Board review the notebook prior to the next meeting and suggest a date for a work session.

**(6) PLANNING BOARD:** At present there are 16 members on the Planning Board who serve in an advisory capacity. The General Statutes permits the Board of Commissioners flexibility on how to handle planning in the counties. Chairman Buchanan recommended that special Task Forces be appointed for separate issues involving the Planning Department in lieu of a 16-member board. Each special Task Force, consisting of 5 appointees, would work on only one issue. Several Task Forces could be working at one time on different issues. These appointees could possibly have an expertise in a certain field, i.e., grading contractors could possibly volunteer to work on amendments to the Erosion Control Ordinance, etc. In many instances county employees could be utilized. This would keep the present 16-member Planning Board from being overtaxed. Consultants could be hired as necessary. Commissioner McMahan asked if this meant abolishing the present Planning Board. Chairman Buchanan responded that would be his recommendation since special Task Forces would be utilized. Commissioner Cowan agreed that 16 members on a board are too many. Chairman Buchanan stated that the special Task Forces would be to advise the Commissioners. These special Task Force issues would be separate from Smart Growth. Commissioner McMahan stated that if a standing committee was not in place, what would happen in the event that an issue needed quick action, such as the cell tower and billboards last year. Commissioner Crawford recommended hiring a consultant in the event that should happen. The Planning Department would develop a list of citizens with their fields of expertise, which would be a centralized system for citizens to get information to the Commissioners that they are willing to serve. Commissioner Crawford agreed on using experts, but stated lay citizens should also be appointed. Current Planing Board members could be appointed to these special Task Forces. All of the Ordinances need to be reviewed and a separate Task Force could be appointed for each Ordinance. Commissioner Madden said this concept might be difficult if a standing committee is not in place at all times. Chairman Buchanan stated a re-authorization of the Planning Board would have to be implemented.

Tamera Crisp stated that presently the Planning Board is working on two issues: (a) amendment to the Sediment Control Ordinance concerning liability; and (b) the Noise Ordinance. The main area now is training.

**(7) NEW DSS FACILITY:** Mr. Westmoreland stated the schematic design has been impacted in view of a recent survey and topo of the area. The architect will brief the Board at the next meeting. The architects are evaluating the possibility of looking at two additional parcels in lieu of the one previously selected. The Board’s authorization is needed to conclude negotiations with the owners for acquisition of the parcels.

**(8) STAGGERED TERMS RESOLUTION IMPLEMENTATION:** On March 21, 2002, the Board of Commissioners adopted a Resolution providing for staggered terms of four members of the board, but does not affect the Chairman. The two Commissioners receiving the lowest number of votes would serve a two-year term, with the other two serving a four-year term. Chairman Buchanan stated that the Resolution did not address what would occur in the event of a tie. Mr. Holt, County Attorney, stated the Resolution could be amended.

**(9) CONTRACT FOR INDEPENDENT AUDITING SERVICES:** Chairman Buchanan called the Board's attention to the fact that ". . .the Local Government Commission recommends governments issue an RFP at least very three to five years." The present auditors have served the county for the past 8 years. He recommended that RFP (request-for-proposals) be solicited.

**(10) CONTRACT for BANKING SERVICES:** Chairman Buchanan recommended that this issue be treated the same as RFP in item (9) above. The banks could make proposals, possibly offer higher interest rates and better services. The Local Government Commission recommends changes. The use of various banks at one time could be cumbersome for the Finance Department.

**(11) CANADA PARK IMPROVEMENTS:** Mr. Westmoreland discussed this in his report in item (2)(d) above. Action is requested at the next meeting.

Chairman Buchanan moved that the Board go into Closed Session pursuant to G.S. 143-318.11(a)(6) Personnel and G.S. 143-318.11(a)(3) Legal. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

Chairman Buchanan called the Open Session back to order and reported no action or votes were taken in Closed Session.

Commissioner Crawford moved to authorize the Register of Deeds to utilize the salary appropriations in his budget this year to provide a separation allowance for employee Larae Hooper in an amount not to exceed \$15,000 to be applied towards the purchase of her local government retirement. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote.

Commissioner McMahan moved that the meeting be adjourned. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote and the meeting adjourned at 8:10 p.m.

Attested By:

Approved:

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Evelyn B. Baker, Clerk to the Board

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Stacy Buchanan, Chairman