

**MINUTES OF THE REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
FEBRUARY 11, 2003**

The Jackson County Board of Commissioners met in a Regular Session on Tuesday, February 11, 2003, 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  
Kenneth L. Westmoreland, County Manager  
W. Paul Holt, Jr., County Attorney  
Heather Hyatt, Temporary Clerk to the Board

Chairman Buchanan called the meeting to order.

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

**MINUTES:** Commissioner McMahan moved to approve the Minutes of the Regular Meeting of January 21, 2003 and the Special Meeting of January 23, 2003. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

**INFORMAL COMMENTS BY THE PUBLIC:** Donald Selzer of the Caney Fork Community Development Club stated that he and others in attendance from Caney Fork are very interested in the Board working aggressively on a Fire Substation in Caney Fork.

**CONSENT AGENDA**

(1) Finance Report for December 2002 submitted. Expenditures are being monitored very closely. The county is in good financial condition at this time.

(2) Budget Amendments submitted. (a) US Forest Service Grant as a line item in the Sheriff's Office; (b) Move funds from finance to administration to cover salary changes for the previous and present Clerk to the Board; (c) Add Social Worker II and Income Maintenance Caseworker II positions in the Department of Social Services; (d) Cost of housing inmates in other jail facilities.

## ADMINISTRATIVE REPORTS

### (3) CHAIRMAN'S REPORT:

- (a) The meeting with SCC is rescheduled on April 10, 2003, 6:00 at SCC.
- (b) The NC Association of County Commissioners is holding a workshop in Caldwell County concerning mental health reform on February 19, 2003, 9:30 am – 3:30 pm.

**(4) COMMISSIONERS' REPORT:** Commissioner Madden congratulated Amanda Dillard being crowned as Blue Ridge School's Homecoming Queen, she is the daughter of Randy Dillard, Fire Chief of the Cashiers/Glenville Fire Dept. He commended DOT for snow removal.

### (5) COUNTY MANAGER'S REPORT:

- (a) Last July the Board approved the Verizon Contract for 911 services, but it has been in dispute for several months. The new contract states that Verizon will comply with all applicable tariffs and provisions as provided by the NC Utilities Commissioner that removes the clause we had under contest.
- (b) Ellis Roy Young has been hired to work in the Transit Department.

**(6) SHERIFF'S OFFICE REORGANIZATION:** Sheriff Ashe requested approval of a reorganization of his office and the hiring of additional employees.

- (a) Four detention officers: Chairman Buchanan met with the Sheriff, Finance Officer and Mr. Westmoreland concerning actual costs for new employees in the Sheriff's Office. Chairman Buchanan recommended the hiring of four detention officers, but not making a decision on an administrative assistant, patrol deputy and detective until actual costs are calculated. There are several revenue projections, and it must be ascertained what the exact figures will be for the new budget year. Sheriff Ashe stated he had evaluated the situation and desperately needs new personnel, but would work with the Board. He urged the Board to reconsider allocating funding for all the new personnel he requested.

Chairman Buchanan moved to approve hiring four detention officers and table the request for an administrative assistant, patrol deputy and a detective. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

- (b) Jail Nurse: The jail nurse previously served the county through a staff physician. The staff physician recently released the person who served as a jail nurse from his medical practice. This is a crucial component of the jail operation. Mr. Westmoreland recommended that this position be filled at a Grade 68 with a salary range between \$30,713 and \$50,391, which is the same grade as a Public Health Nurse, I in the Health Department. She would continue to work with the staff physician. Sheriff Ashe was in agreement with this witness. Commissioner Crawford moved to hire a jail nurse as

recommended. Commissioner Madden seconded the Motion. Motion carried by unanimous vote.

**(7) PLANNING DEPARTMENT – “PLAN OF ACTION”**: A “2003 Plan of Action” for restructuring was presented for approval. The plan recommends hiring a professional certified planner, compiling a citizen volunteer data base for various task forces, developing a comprehensive land use plan, authorize a 9-member standing planning board, complete research on the Noise Ordinance and Sediment Control Ordinance, develop a subdivision ordinance, develop a Model “Commercial District Plan”: for the Cashiers Business District, and any other tasks the Board deems necessary. A Planning Retreat has been scheduled on March 27, 2003, 6:00 pm. Commissioner McMahan moved to adopt the Plan of Action. Commissioner Madden seconded the Motion.

**(8) ASPHALT PLANT** – Mark Fortner’s attorney, Craig Justus, informed Mr. Holt that he would not have the experts’ information that the County had requested available until sometime after the first of March. Mr. Justus wanted this issue placed on the March agenda. Chairman Buchanan stated that a special meeting would be scheduled after the requested information is reviewed and sufficient notification is provided to the Qualla Community.

**(9) REGISTER OF DEEDS**: Joe Hamilton, Register of Deeds, requested an additional employee. The person he wishes to hire is a county employee who has agreed to accept a reduction in pay to transfer to his office. He suggested that funding in the amount of \$11,000 for this position be transferred from his equipment line item. Mr. Hamilton stated he would not be using all of the \$43,000 that is presently in his equipment account. Due to the workload, he said he could not wait until the new budget year to hire an additional employee. He requested that the transfer be effective on or before February 24.

**(10) REVOLVING LOAN**: Tom McClure, Chairman of the Revolving Loan Committee, reported that Fraternal Composite Specialties LLC has requested an additional \$125,000 for the acquisition of 14 digital cameras. The Revolving Loan Committee recommends that this request be approved with the stipulation that wages start between \$7.00 and \$12.00 per hour and employees be hired from western North Carolina to the extent possible. The cameras would be collateral for the loan. Mr. Holt asked Tamera Crisp if new paperwork had been prepared since this company had been using two or three different names. Mr. Holt was instructed to verify the correct name of the company. Mr. McClure stated that the old loan would be merged with the old loan and re-executed under the correct name.

**(11) SCATTERED HOUSING GRANT**: Mr. Westmoreland explained that Jackson County is eligible to receive \$400,000 to rehabilitate owner-occupied homes. The county would need cooperation from the municipalities. This program is designed to assist low-income homeowners by making moderate repairs to their homes and must meet certain requirements. The Scattered Site funds may be used for rehabilitation,

acquisition, clearance, relocation, code enforcement, service delivery and administration. Matching funds are not required from the county. The county must prepare an application package, submit a list of persons to serve on a Selection Committee, and hold two public hearings. He requested the Board to authorize the staff to move forward with the required application process.

**(12) COUNTY GROUP HEALTH INSURANCE PROGRAMS AND PROVIDERS FOR FY04-05:** Chairman Buchanan reported that there has been a dramatic increase in premiums this past fiscal year. This insurance should be put out for bids. Mr. Westmoreland stated it is good periodically to “shop around” for third party administrators, 401K programs, life and health insurance programs.

**(13) CANEY FORK FIRE SUBSTATION:** A committee was assigned to research and plan the placement for a Cullowhee Volunteer Fire Dept. Substation in the Caney Fork community. The committee recommended that it be placed at the Caney Fork Community Building. This would necessitate reworking the parking lot and playground area. An adjoining property owner is willing to sell approximately 3 acres. A report from the Jackson County Building Inspection Department was also submitted concerning the suitability for building at the proposed site.

**(14) SIX-MILE FIRE DISTRICTS MAP:** Mike Ensley, Emergency Management Coordinator, presented a map and metes and bounds descriptions for the various fire districts for approval. The North Carolina Dept. of Insurance has allowed counties to increase the districts from five to six miles. He requested a letter of resolution approving the maps and descriptions. Homeowners could be eligible for up to 20% savings on fire insurance premiums.

**(15) NOISE ORDINANCE TASK FORCE APPOINTMENTS:** Pursuant to the “Plan of Action” a task force should be appointed to continue work on this ordinance. Former planning board members are encouraged to contact Tamera Crisp concerning their willingness to serve on this task force. Mrs. Crisp will provide a list to the Commissioners by February 18<sup>th</sup>.

**(16) SEDIMENT CONTROL ORDINANCE TASK FORCE APPOINTMENTS:** Pursuant to the “Plan of Action” a task force should be appointed to continue work on this ordinance. Former planning board members are encouraged to contact Tamera Crisp concerning their willingness to serve on this task force. Mrs. Crisp will provide a list to the Commissioners by February 18<sup>th</sup>.

**(17) CASHIERS DISTRICT “MODEL” COMMERCIAL DISTRICT PLAN TASK FORCE APPOINTMENT:** Pursuant to the “Plan of Action” a task force should be appointed to continue work on this plan. Commissioner Madden, Tamera Crisp and Mr. Westmoreland met with three consulting firms last week. Only two are satisfactory. One of the two has experience with such a plan. Mr. Westmoreland should be authorized to negotiate an agreement with the former planner of Buncombe County who would work with the task force.

**(18) HISTORIC COURTHOUSE USE COMMITTEE:** A task force consisting of 9 members should be appointed to develop a plan for the continued use of the building. Each Commissioner will recommend two members and the Chairman will recommend one. The task force should hold public hearings for input as to use of the building.

**(19) PICKET LANE RESOLUTION:** A petition from property owners on Picket Lane was submitted requesting that approximately four-tenths (4/10) of a mile be added to the DOT maintenance system.

**(20) STATE ASSUMPTION OF LOCAL SHARE OF MEDICAID RESOLUTION:** This resolution requests that the General Assembly of North Carolina support a plan to phase out county contributions to Medicaid for all counties in the State of North Carolina.

**(21) TROOPER JOSEPH ROBERT DAVIS MEMORIAL BRIDGE RESOLUTION:** Commissioner Cowan stated that this resolution is to name the bridge (across from Webster Baptist Church) on Highway 116 which crosses the Tuckaseegee River in Webster to the “Trooper Joseph Robert Davis Memorial Bridge” in appreciation for Mr. Davis’ sacrificial service to the people of North Carolina as a distinguished member of the NC Highway Patrol. Chairman Buchanan recommended that criteria be drafted for naming roads and bridges for individuals. This could be a project for the new Planning Board. Commissioners Crawford and McMahan suggested that recommendations from Webster residents be taken into consideration. Commissioner Cowan will present this Resolution to the Town of Webster Board on February 13<sup>th</sup> and report back to the Board at the next meeting. The NC Dept of Transportation makes the final decision on naming public roads and bridges.

**(22) SPECIAL BOARD OF EQUALIZATION AND REVIEW RESOLUTION:** This is an annual statutory resolution to appoint a Special Board of Equalization and Review. Attorney Holt stated that since the Tax Assessor is also present is an advocate of the county, property owners feel they are not getting a fair hearing. Commissioner Madden recommended that the Resolution be changed to reflect election of a Chairman and Clerk. Attorney Holt will investigate this suggested change.

**(23) UNLAWFUL WORKPLACE HARASSMENT POLICY:** This resolution is mandated by the State Administrative Rules that counties adopt policies regarding protections from sexual harassment and other hostile and threatening circumstances for personnel covered by the State Personnel Act (Public Health and DSS Departments). This resolution would amend the county’s personnel policy.

**(24) ESTABLISH SHERIFF’S OFFICE AS SECONDARY PUBLIC SAFETY ANSWERING POINT RESOLUTION:** At present the Jackson County Communications Center is the sole fixed Public Safety Answering Point for 911 communications. The new Sheriff’s Office facility at the Justice Center already has in place many of the services and features necessary to provide for a secondary

communications center. This would allow the use of E-911 funds for the purchase of communications equipment for the Sheriff's Office.

Chairman Buchanan moved that the Board go into Closed Session pursuant to 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 that the meeting be adjourned. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote and the meeting adjourned at 9:00 p.m.

Attested By:

Approved:

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Heather Hyatt  
Temporary Clerk

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Stacy Buchanan, Chairman