

Posted August 14, 2003  
Time Posted: \_\_\_\_\_  
Posted By: Evelyn Baker  
Witnessed By: \_\_\_\_\_

**MINUTES OF THE REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
AUGUST 12, 2003**

The Jackson County Board of Commissioners met in a Regular Session on Tuesday, August 12, 2003, at 6:00 p.m., 401 Grindstaff Cove Road, Room 203, 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  
          Evelyn B. Baker, Clerk to the Board

Chairman Buchanan called the meeting to order.

**AGENDA**: Chairman Buchanan recommended that the Agenda be amended by adding Cashiers Library and Impact Fees. Commissioner Crawford moved to approve the amended Agenda. Commissioner Madden seconded the Motion. Motion carried by unanimous vote.

**MINUTES**: Commissioner McMahan moved to approve the Minutes of the Regular Meeting of July 15, 2003. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

**INFORMAL COMMENTS BY THE PUBLIC**: None

**CONSENT AGENDA**

**(1) FINANCE REPORT FOR JUNE 2003**: Highlights included:

<u>General Fund Revenue to date</u>	<u>\$ 30,636,658.69</u>
<u>General Fund Expenditures to date</u>	<u>\$ 30,291,773.30</u>
<u>Ad Valorem Tax collected</u>	<u>\$ 15,425,124.34</u>
<u>Motor Vehicle Tax collected</u>	<u>\$ 1,056,078.43</u>
<u>Prior Year Tax collected</u>	<u>\$ 702,265.83</u>
<u>Landfill Disposal Fees collected</u>	<u>\$ 1,022,686.67</u>
<u>Prior Year Landfill Disposal Fees collected</u>	<u>\$ 58,991.00</u>
<u>General Fund Contingency Balance</u>	<u>\$ 28,907.32</u>

**(2) TAX COLLECTOR'S REPORT FOR MAY 2003**: The Tax Collector's report for May 2003 was submitted for approval.

**(3) TAX SETTLEMENT REPORT FOR FY2002-2003:** The Tax Settlement Report for the last fiscal year was submitted for approval.

**(4) BUDGET AMENDMENTS:** Mr. Westmoreland explained that the seven budget amendments represent final budget balancing for the year-end. They are as follows:

(a) General Fund	\$ 77,761.76	(e) TTA Fund	\$ 32,700.00
(b) Farmworker	\$ 12,265.00	(f) Human Service Fund	\$ 1,000.00
(c) Capital Reserve Fund	\$ 2,500.00	(g) School Imp.Fund	\$ 11,100.00
(d) Emergency Tele.	\$ 42,341.00		

### **ADMINISTRATIVE REPORTS**

**(5) CHAIRMAN'S REPORT:** None

**(6) COMMISSIONERS' REPORT:** None

**(7) COUNTY MANAGER'S REPORT:** Mr. Westmoreland reported:

(a) Recreation Master Plan consultant interviews will be held on August 14, 2003. A recommendation will possibly be available by the next board meeting.

(b) Recreation Dept: A PARTF grant in the amount of \$181,335 was awarded to fund the Canada Community Park project. This is a 50-50 match over a two-year period. \$90,000 was budgeted this year.

(c) Airport: In order for the Airport Authority to continue to receive state and federal funds, an Airport Ordinance must be adopted. A "draft" Ordinance was presented for review. This issue will be placed on the August 19, 2003 Agenda and the consultant will be requested to appear.

(d) Telecommunication Towers: Two applications for cell (1 for co-location and 1 free standing) have been received. The freestanding tower would be placed in the Balsam area. Pursuant to the Telecommunication Ordinance, each property owner within a radius of 2500 ft. of the proposed tower has been identified. These property owners will be notified concerning the application, the date and time of the balloon tests, and public hearing. Mr. Westmoreland stated he would conduct a public hearing on September 23, 2003.

(e) Personnel: Hired Todd Dillard as Fire Marshal, and four Dillsboro SRC Attendants: Jane Hall, Walter Osborne, Charles Phillips and Shana Williams.

(f) Transit Dept.: Rates are reviewed each year and new rates are calculated based on budget information as well as projected vehicle miles, vehicle hours and passenger trips. The current rates are \$7.00 per trip and \$0.90 per mile. Based on the review and projections, the rates for FY2003-04 have increased to \$7.51 per trip and \$1.18 per mile. These rates represent the fully allocated costs and are only used when there are no subsidies available.

(g) Historic Courthouse: Repairs are not completed.

(h) Cullowhee SRC Paving: Paving should be done at any time.

### **OLD BUSINESS:**

**(8) ELGAR GROUP, INC.:** This issue will be carried over until some of the Commissioners have had an opportunity to meet with the President of the company.

**(8A) CASHIERS LIBRARY:** Mr. Michael Osowski, Architect, presented a site plan and floor plans for the proposed expansion of the Cashiers Library inclusive of parking. However, an additional one-half acre is needed. The drawings also include plans for future expansion. Funding for this project has been budgeted.

### **NEW BUSINESS**

**(9) HEALTH SERVICES DELIVERY:** Mr. Mark Leonard requested that the County enter into a collaborative venture with WestCare to authorize the N.C. Office of Rural Health to perform a study on health care in the county. The question for the study is: "Does the Jackson County Board of Commissioners, the Jackson County Board of Health, and the WestCare Health System Board of Trustees desire to formally request the N.C. Office of Rural Health to conduct a collaborative study?" The objective of the collaborative study would be to identify and make recommendations relative to potential opportunities that may exist between the Jackson County Department of Public Health and the WestCare Health Care System. The reason for using a consultant for this study is expediency and the time frame. Secondly, the recommendations would be healthy and the Office of Rural Health would only make recommendations and the three boards would decide if they wanted to accept any of the recommendations. Mr. Randall Turpin, Director, Health Dept., recommends the study. This would be at no cost to the County.

**(10) ROTARY CLUB:** Mr. Jay Coward reported that the Rotary Club raised \$15,000 in May 2003 for landscaping at Smoky Mountain High School. He presented a general landscaping plan designed by three landscape architects. The Board of Education has approved the design. All monies donated will be used only for materials and supplies. Volunteers will provide labor and machinery. An Interact Club (junior Rotary Club) will be created at the high school and will assume "ownership" of the project, all under the supervision of a professional landscaper. The Board of Education will be requested to sign an agreement for the upkeep of the project after it is complete. He requested that the County contribute a like amount to assist in this endeavor. The Rotary Club is committed to making additional annual financial contributions.

**(11) TRANSIT BUILDING – BIDS FOR NEW ROOF:** Three bids were received: (a) Brickey Co.- \$13,902.00; (b) The Bonitz Co.- \$13,980.00; (c) Pearson Roofing, Inc.- \$33,500.00. Mr. Westmoreland recommended that the bid be awarded to Brickey Co.

**(12) CANEY FORK CDC & FIRE SUBSTATION:** Mr. Ron Stephens reported that his committee had located three possible sites for a new CDC Building and Fire Substation. After inspections of the various sites by the building inspection and health departments, the only possible usable property is the present CDC site. An adjoining property owner has indicated he might donate some property for the project. Richard Frady, Chief, Cullowhee Fire Dept., stated that all three sites were acceptable for a fire substation. Mr. Stephens explained that restrictions in the deeds prevent the CDC from selling the property. Mr. Stephens explained the pros and cons of the three proposed sites. He stated the committee had considered tearing down the present CDC building if they could get a commitment from the county to construct a new building or furnish a portable building. Regardless, everyone is committed to building a fire substation on Caney Fork and the receipts from the last fundraiser will be used for the substation. Discussion ensued concerning tearing down the building since the county does not construct CDC buildings. Ownership of the substation would be either the county or Cullowhee Fire Department. Chief Frady stated the CDC site is centrally located for the community. Chief Frady will contact DOT to ascertain if it will assist with this project if a right of way is acquired. Mr. Stephens said it was the consensus of the committee that if the CDC building must be removed in order to build a fire substation, they would be in full agreement.

**(13) REVALUATION SCHEDULE OF VALUES:** Cecil Dills, Tax Assessor, presented a “Proposed Schedule of Values, Standards and Rules & Present-Use Schedule” to be used in appraising real property in Jackson County for the revaluation that will be effective as of January 1, 2004, and used, when and where applicable, in the appraisal of property at its market value as of January 1, 2004, and from thereafter, as provided by law. A public hearing concerning this issue has been scheduled on September 9, 2003, 5:30 p.m.

**(14) SMART GROWTH UPDATE:** Mr. Mark Jamison, Chairman of the Smart Growth Task Force, reported that they are waiting on further instructions from the consultant before the proposed Subdivision Ordinance can be finalized. After a draft Subdivision Ordinance is available, informational public meetings will be scheduled in each voting district to receive public input. A Smart Growth presentation concerning non-regulatory approaches to land use planning will be made at the August 19<sup>th</sup> meeting.

**(15) SCATTERED HOUSING SITE GRANT “RECIPIENT’S PLAN TO FURTHER FAIR HOUSING”:** The Grant requires the plan. Commissioner Crawford moved to approve the plan. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

**(16) QUALLA FIRE DEPT.:** Kent Moore, Assistant Fire Chief, reported that he had located two possible sites for a substation, i.e., one acre in front of the Jehovah’s Witnesses Kingdom Hall at a cost of \$50,000, and approximately one acre on Joe Branch Road for \$16,000. There are currently enough fire trucks available to also have a substation. The Joe Branch Road tract would serve the Barkers Creek 6-mile district. Discussion was had concerning building a new fire station and using the present site as a

substation so that the 6-mile fire district would be available to the majority of the citizens in the Qualla area. Representatives of the fire department will continue negotiations with the Kingdom Hall and Joe David Rd. property owners and report back to the board. In addition, the firemen will discuss building a new main station and using the present site as a substation.

**(17) COTT SYSTEMS LEASE AGREEMENT –REGISTER OF DEEDS:**

This lease is a standard agreement is for a term of three years at a cost of \$3,645 per month plus a monthly maintenance fee of \$404.00, a total of \$4,049.00.

**(18) SOLID WASTE DEPT. REORGANIZATION RECOMMENDATIONS:** Mr. Westmoreland recommended that this department be reorganized as follows:

- (a) Elevate the Solid Waste Technician position to department head status with the title of Solid Waste Manager (raise to pay grade 65). The position would be responsible for all solid waste operations and would supervise all solid waste employees. The salary will not be increased at this time.
- (b) Re-designate the Landfill Supervisor position to Transfer Station Superintendent (pay grade remain at 62), and
- (c) Re-designate the two Landfill Attendant positions to two Transfer Station Operators. Because these two positions are skilled positions requiring experience in the operation of heavy equipment, he recommended that the pay be upgraded temporarily until a system-wide study is conducted next year from pay grade 58 to pay grade 60.

**(19) HOMELAND SECURITY GRANT PROGRAM:** The program is designed to improve domestic terrorism preparedness through the purchase of equipment for first responders, as well as to provide funding to train and exercise for chemical, biological, radiological, nuclear, and explosive incidents. There will be no cost to the county to participate in this grant. .

**(20) BANKING SERVICES PROPOSALS:** Four proposals were received in response to the county's requests for banking services. Darlene Fox, Finance Director, recommended the service be awarded to Wachovia Bank. Mr. Westmoreland recommended that the services be re-bid after the other companies have had an opportunity to bid in a more competitive manner. Wachovia has all the services, however, the others indicated they would have the same in a short time. Competition allows the county to get better services/rates. He recommended that all proposals be rejected at this time with the understanding that requests for banking services will be re-bid at a later date.

**(21) ATHLETIC HALL OF FAME PLAQUES:** Commissioner Crawford reported that she has not had an opportunity to talk with the Athletic Hall of Fame Committee. Chairman Buchanan reported that he had been informed that the Committee would oppose moving the plaques, but would possibly entertain the idea of moving the trophy cases to the Historic Courthouse. Commissioner Crawford suggested studying this issue and she will meet with the Committee.

**(22) IMPACT FEES:** Mr. Westmoreland reported that the Health Dept. has requested an additional sanitarian position because the larger developments are requesting multiple septic inspections. Sanitarians must be certified by the state and the certification course is only offered twice per year (August 18<sup>th</sup> is deadline). The Health Dept. has the opportunity to replace one sanitarian and hire a new one if action is taken immediately. It must be considered if it is in the best interest of the County to hire an additional sanitarian now and review the possibility of imposing impact fees to offset the new salary expense. Mr. Westmoreland was requested to present suggestions and options on this issue. The general consensus was to hire an additional sanitarian; however, budgeting for the new employee would need to be explained. Further, additional staff is needed to assist with sediment and erosion control problems.

**(22) JACKSON COUNTY ORDINANCE AUTHORIZING A PLANNING BOARD:** A proposed Ordinance was discussed. Attorney Holt suggested the following changes:

Section 2(A)(1): Five (5) members to be appointed, “one by each commissioner from his/her district, with the Chairman’s appointment to be at large.”

Section 2(B): Add at end of paragraph: “Thereafter, each appointment shall be for three years”.

Section 2(C): In the event of a vacancy, “if the vacancy is one that was originally appointed by a Commissioner, then the Commissioner serving that district where the vacancy exists recommend a replacement member for that district. If the vacancy occurs in the position originally appointed by the Chairman of the Board of Commissioners, then the chairman should select the replacement”.

Section 2(E): Add at end of paragraph: “as provided in Section 2(C)”.

Section 3(K). Change “notes” to “notices”.

Mr. Holt was instructed to make the revisions for presentation at the next meeting.

**(23) APPOINTMENT OF VOTING DELEGATE TO NCACC CONFERENCE:** None of the Commissioners are available to attend to conference.

Chairman Buchanan moved that the Board go into Closed Session pursuant to G.S. 143-318.11(a) (5) Real Property, 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 that the meeting be adjourned. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote and the meeting adjourned at 10:20 p.m.

Attested By:

Approved:

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Evelyn B. Baker  
Clerk to the Board

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Stacy Buchanan, Chairman