

Posted: 11/19/03
Time Posted: _____
Posted By: Evelyn Baker
Witnessed By: _____

**MINUTES OF A WORK SESSION
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
NOVEMBER 18, 2003**

The Jackson County Board of Commissioners held a Work Session on Tuesday, November 18, 2003, at 5:00 p.m. in Justice & Administration Building, 401 Grindstaff Cove Road, Room 203, Sylva, North Carolina.

Present: Stacy Buchanan, Chairman
 Roberta Crawford, Vice Chairman
 Joe Cowan, Commissioner
 Brian McMahan, Commissioner
 Eddie Madden, Commissioner
 Kenneth L. Westmoreland, County Manager
 Evelyn B. Baker, Clerk to the Board

Chairman Buchanan called the meeting to order and stated the purpose of the work session was to continue to review the “draft” subdivision ordinance as presented by the Smart Growth Task Force and the recommendations for other changes made by various department heads and other agencies.

Linda Thomas, Planning Coordinator, was requested to facilitate the meeting. The following sections of the proposed ordinance were discussed:

Sec. 1.1. Title: No comments.

Sec. 1-2. Authority and Enactment Clause: No comments.

Sec. 1-3. Jurisdiction. Attorney Holt will be requested to explain “The power to review plans shall be treated as if it were a power authorized by G.S. 160A-360 et.seq.” Should the municipalities’ ordinances be incorporated into the county ordinance if the county is requested to enforce? Should municipalities be responsible for enforcing their own ordinances? Discuss this issue at the next joint meeting with municipalities.

Sec. 1-4. Purpose: No comments.

Sec. 1-5. Definitions. Clarification of “*Building*” as it applies to barns.
TWSA recommends that “*Property Owners Association*” be added.
“*Private Driveway*” needs further clarification.
“*Subdivision*” - “5”. How does it relate to “*Special Subdivision*”?
Further clarification is requested.
“*Technical Review Committee*”. Clarify that this committee only applies to major subdivisions.

Sec. 1-6. Penalties for Violation of this Ordinance. The fine should be consistent with fines stated in other county ordinances. A fee schedule would need to be adopted also.

The general consensus is that if an ordinance of this magnitude is adopted, it should not be a bureaucratic nightmare. It must be easy to understand by the general public. However, the document must be able to stand up in court.

Continue to review the October 1995 rescinded Ordinance and see if portions of it could be incorporated into a new ordinance.

Commissioner Crawford moved that the work session be adjourned. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote and the meeting adjourned at 5:45 p.m.

Attested By:

Approved:

Evelyn B. Baker, Clerk

Stacy Buchanan, Chairman