

Posted: 2-1-05
Time Posted: _____
Posted By: Evelyn Baker
Witnessed: _____

**MINUTES OF A SPECIAL MEETING
OF THE
JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
JANUARY 31, 2005**

The Jackson County Board of Commissioners met in a Special Meeting, Monday, January 31, 2005, at 6:00 p.m. in Room A201, Justice & Administration Building, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: K. Stacy Buchanan, Chairman
Roberta Crawford, Vice Chair
Joe Cowan, Commissioner
Eddie Madden, Commissioner
Brian McMahan, Commissioner
Kenneth L. Westmoreland, County Manager
W. Paul Holt, Jr., County Attorney
Evelyn Baker, Clerk to Board

Chairman Buchanan called the meeting to order and stated the purpose of the meeting was to discuss the Airport Authority and possible appointments to the Airport Authority.

Chairman Buchanan stated that it has been brought to this Board's attention that the individuals had not been sworn in as members of the Airport Authority pursuant to the statutory requirements of the enabling legislation. This Board wants to ascertain that the Airport Authority is in compliance with the statutes and correct any technical errors. He stated that correct procedures had not been followed for appointments to the Airport Authority in that the Board of Commissioners did not receive a list of "*two or more candidates*" for vacancies and appointees have not taken the oath of office. He recommended, and Mr. Holt agreed, that the present members should be re-appointed to serve to their original expiration dates in order to have staggered terms. The enabling legislation states: "*The Airport Authority shall consist of six members, who shall be residents of Jackson County and who shall be appointed to staggered terms of six years by the Jackson County Board of Commissioners.*"

Attorney Holt stated that the enabling legislation (House Bill 105) states: "*Each member shall take and subscribe before the Clerk of Superior Court of Jackson County an oath of office and file the same with the Jackson County Board of Commissioners*". He stated he had checked the records in the Clerk of Court's office and discovered that three or four former members had been sworn in; however, they no longer serve on the Airport Authority. Since none of the present members were correctly appointed, he recommended that the Commissioners refer to the enabling legislation and appoint members to staggered terms, and inform them that they must take the oath of office before the Clerk of Court and provide the Board of Commissioners with documentation of same. It would be to the Airport Authority's benefit to be properly appointed and sworn in.

AIRPORT AUTHORITY APPOINTMENTS:

- (1) Commissioner McMahan moved to appoint Commissioner **Eddie Madden** to the Airport Authority. Commissioner Cowan seconded the Motion. His term would expire 12/2008. Motion carried (4 “yes”, Commissioner Madden abstained).
- (2) Commissioner Crawford moved to appoint **Gary Buchanan** to the Airport Authority. Commissioner Madden seconded the Motion. His term would expire 6/2010. Motion carried by unanimous vote.
- (3) Commissioner Cowan moved to appoint **Eldridge Painter** to the Airport Authority. Commissioner Crawford seconded the Motion. His term would expire 12/2007. Motion carried by unanimous vote.
- (4) Commissioner Madden moved to appoint **Chip Hall** to the Airport Authority. Commissioner Cowan seconded the Motion. His term would expire 8/2006. Motion carried by unanimous vote.
- (5) Commissioner McMahan moved to appoint **Jim Rowell** to the Airport Authority. Commissioner Crawford seconded the Motion. His term would expire 2/2007. Motion carried by unanimous vote.

The newly appointed members were directed, after they have taken the oath of office, to schedule a meeting and recommend in writing to the Board of Commissioners the names of two or more candidates from which the Commissioners will make a sixth appointment to the Airport Authority.

There being no further business, Commissioner Crawford moved that the meeting be adjourned. Commissioner McMahan seconded the Motion. Motion carried by unanimous vote and the meeting adjourned at 6:20 p.m.

Evelyn B. Baker, Clerk

K. Stacy Buchanan, Chairman