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Posted By: Evelyn Baker  
Witness: \_\_\_\_\_

**MINUTES OF THE REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
OCTOBER 3, 2005**

The Jackson County Board of Commissioners met in Regular Session on October 3, 2005, at 6:00 p.m., 401 Grindstaff Cove Road, Room A201, Sylva, North Carolina.

Present: Brian T. McMahan, Chairman  
Joe Cowan, Commissioner  
Conrad Burrell, Commissioner  
Eddie Madden, Commissioner  
Kenneth L. Westmoreland, County Manager  
W. Paul Holt, Jr., County Attorney  
Evelyn B. Baker, Clerk to the Board

Absent: Roberta Crawford, Vice Chair

Chairman McMahan called the meeting to order.

**AGENDA:** Chairman McMahan amended the Agenda by adding Emergency Watershed Project Bids, Removal of Houses at Bid to Remove Houses at SMH and a Resolution for Financing for Wheeled Loader. Commissioner Cowan moved to approve the amended Agenda. Commissioner Madden seconded the Motion. Motion carried.

**MINUTES:** Commissioner Burrell moved to approve the Minutes of the Regular Meeting of September 19, 2005. Commissioner Cowan seconded the Motion. Motion carried.

**INFORMAL COMMENTS BY THE PUBLIC:** Marti Senterfit of Cashiers presented an informal petition containing approximately 150 signatures requesting that the Noise Ordinance be amended to limit construction noise from 7:00 am to 6:00 pm on non-holiday weekdays, no Saturdays, Sundays or holidays.

**(1) FINANCE & TAX COLLECTOR REPORTS FOR SEPTEMBER 2005:**

Darlene Fox, Finance Director, presented the following highlights:

<u>General Fund Revenues Collected to Date</u>	<u>\$ 10,038,285.70</u>
<u>General Fund Expenditures to Date</u>	<u>\$ 8,471,992.32</u>
<u>Ad Valorem Tax Collected</u>	<u>\$ 5,811,902.43</u>
<u>Motor Vehicle Tax Collected</u>	<u>\$ 163,137.35</u>
<u>Sales &amp; Use Tax for June 2005</u>	<u>\$ 886,386.07</u>
<u>Landfill Disposal Fees Collected</u>	<u>\$ 302,766.77</u>
<u>Contingency Balance</u>	<u>\$ 179,729.00</u>

**(2) CHAIRMAN'S REPORT:** Chairman McMahan reported:

- (a) That the Board is invited to an EDC workshop on October 4<sup>th</sup>, 7:00 p.m. at Sylva Town Hall. EDC has hired The Buxton Company to do an analysis and survey on this region and county to determine what types of businesses may want to locate in the area.
- (b) October 11<sup>th</sup>, 6:00 p.m. - Joint Meeting with the Municipalities.
- (c) October 17<sup>th</sup>, 5:30 p.m. - Public Hearing, Scattered Site Housing Program Close-out.
- (d) November 3<sup>rd</sup>, 5:30 pm - Work Session – Re: Health Dept. Needs Assessment
- (e) The county has received a copy of the Jackson County Airport's Annual Report for the period ending 6/30/05.

**(3) COMMISSIONERS REPORT:** None.

**(4) COUNTY MANAGER'S REPORT:** Mr. Westmoreland reported that the audit should be available at the second meeting in November. The Municipal Grant application form has been sent to the municipalities. The applications will be reviewed in November and grant(s) awarded in December.

**(5) PLANNING DEPT. REPORT:** Linda Cable, Planning Coordinator, submitted a written report which stated that the Jackson County Land Development Committee met on September 21<sup>st</sup>. Plans have been received from SCC, TWSA, Town of Sylva and WCU. Gerald Green is working on the overall narrative for the county plan.

Four Erosion Control Permits were issued during the month of September. One erosion violation has been issued.

**(6) WATERLINE AGREEMENT W/TWSA ACROSS LIBRARY PROPERTY, SYLVA:** Carry over.

**(7) SMOKY MOUNTAIN CENTER, QUARTERLY REPORT:** Shelly Lackey, Community Relations Coordinator, stated that she met with Sheriff Ashe, Bob Cochran, Social Services Director, and other stakeholders in the community to begin working on a pilot program to develop a comprehensive plan to deal with methamphetamine use because a large number of people are seeking treatment. The child recovery unit at the Balsam Center is now open and can accommodate 5 children; however, by the end of the fall it should accommodate 9 – 11 children, ages 5 to 17. SMC works with the Dept. of Social Services for children in crisis. SMC is in the process of finalizing a contract to offer transportation to the Balsam Center for voluntary treatment.

Tom McDevitt, Area Director, stated there is no shortage of residential beds in the state. SMC has an average of 60 children on any given date housed outside the catchment area. SMC has continuing plans for residential beds in this area; however, it does not have a readily trained and available workforce to staff these homes. SMC is required to submit a letter of support to DFS stating there is the need for this service in the catchment area. A proposed Resolution in support of a residential home in this area will be submitted by SMC for approval by the Board of Commissioners. Mr. McDevitt stated that the average length of stay for adults at the Balsam Center is 5 ½ days. He stated there is a projected \$28 million budget deficit in the Division of Mental Health in financing the mental health reform project.

**(8) SCATTERED SITE HOUSING PROGRAM, QUARTERLY REPORT:**

Joan Stillwell, Community Development Director, reported the following:

**(a) C1-Grant \$400,000:**

Three Rehabilitation Projects completed and approved by DCA

Three Relocation Projects completed and approved by DCA

One Relocation Project completed and will be inspected by DCA on 10/13/05.

Work in Progress: Close-out procedures are in progress. Activities will occur through December 2005; however, expenditures will end as of 10/15/05.

There have been no problems or delays.

Expenditures: Administration \$ 3,622.64  
Project Funds \$91,682.67

**(b) L1 \$200,000 Volunteer Labor Grant:**

Three projects completed.

There have been no problems or delays.

Expenditures: Administration \$ 519.21  
Project Funds \$ 6,200.45

**(9) HOOPER RIGHT OF WAY AGREEMENT, SCC CASHIERS:** Carry over.

**(10) SMOKY MOUNTAIN HIGH – BRUSH & STUMP REMOVAL BIDS:**

Mr. Westmoreland reported that two bids were received for removal of brush and stumps from the Jones and Alexander Property. Dillard Excavating was the low bidder in the amount of \$18,000.00 plus \$500.00/900 gal. load hydroseeding, \$2.50/lf silt fence, \$13.50/ton 3” stone, and \$15.00/lf 24” CMP. In order to expedite the project, Chairman McMahan suspended the rules and Commissioner Madden moved to award the bid to Dillard Excavating. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

**(11) EMERGENCY WATERSHED PROJECT – BIDS FOR WOODY DEBRIS GRINDING:**

Mr. Westmoreland stated that four bids were received, but only three were in proper form. DeSota Trail Construction of Franklin was the low bidder at \$22.00/ton. In order to expedite the project, Chairman McMahan suspended the rules and Commissioner Burrell moved to award the bid to DeSota Trail Construction. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

**(12) SMOKY MOUNTAIN HIGH SCHOOL – BIDS FOR REMOVAL OF HOUSES:**

Mr. Westmoreland reported that only two bids were received for the removal of houses from the SMH campus. Mr. Westmoreland stated that three of the four houses were burned by the fire departments. Wike Excavation Co. was the low bidder at \$16,700.00. In order to expedite the project, Chairman McMahan suspended the rules and Commissioner Burrell moved to award the bid to Wike Excavation Co. Commissioner Madden seconded the Motion. Motion carried by unanimous vote.

**(13) APPOINTMENT TO NURSING & REST HOME COMMUNITY ADVISORY BOARD:**

Helen Bryson has agreed to serve a one-year term if reappointed.

**(14) APPOINTMENT TO CRIMINAL JUSTICE PARTNERSHIP BOARD:**

Karen Martin was recommended to replace Brucie Green on the CJPP Board.

**(15) APPOINTMENTS TO CASHIERS DESIGN REVIEW BOARD:**

There are two vacancies on the Board. Johnny Hooper has agreed to serve if reappointed.

**(16) APPOINTMENTS TO CASHIERS PLANNING COUNCIL:**

There are three vacancies and one reappointment on the council. Ed Henson has agreed to serve if reappointed.

**(17) RESOLUTION (R05-28) FINANCING FOR WHEELED LOADER:**

This Resolution is for authorization to finance the sum of \$122,880.00 for the purchase of a Volvo Model L60 Wheeled Loader for the C & D Transfer Station. Chairman McMahan suspended the rules and Commissioner Burrell moved to adopt the Resolution. Commissioner Madden seconded the Motion. Motion carried by unanimous vote.

Commissioner Burrell moved that the Board go into Closed Session pursuant to G. S. 143-318.11(a)(3) Legal, G. S. 143-318.11(a)(5) Real Property and G.S. 143-318.11(a)(6) Personnel. Commissioner Madden seconded the Motion. Motion carried.

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

Chairman McMahan recommended amending the Agenda by adding “Personnel Retirement Issue”. Commissioner Burrell moved to amend the Agenda. Commissioner Madden seconded the Motion. Motion carried.

**(18) PERSONNEL RETIREMENT ISSUE:**

Commissioner Madden moved to approve payment on behalf of a county employee to establish full credit for county service to the local government retirement system due to an enrollment error on the part of the county in 1981. Commissioner Burrell seconded the Motion. Motion carried by unanimous vote.

There being no further business, Commissioner Madden moved that the meeting be adjourned. Commissioner Burrell seconded the Motion. Motion carried and the meeting adjourned at 8:45 p.m.

Attested By:

Approved:

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Evelyn B. Baker  
Clerk to the Board

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Brian Thomas McMahan, Chairman

