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

**MINUTES OF THE REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
JANUARY 12, 2006**

The Jackson County Board of Commissioners met in Regular Session on January 12, 2006, at 6:00 p.m., 401 Grindstaff Cove Road, Room A201, Sylva, North Carolina.

Present: Brian T. McMahan, Chairman  
Roberta Crawford, Vice Chair  
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

Chairman McMahan called the meeting to order.

**AGENDA:** Chairman McMahan added a Letter to Local Delegation Requesting a Special Session of State Legislature, Jackson County Library Design Consultant and Arts Council Presentation. Commissioner Burrell moved to approve the amended Agenda. Commissioner Crawford seconded the Motion. Motion carried.

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

**INFORMAL COMMENTS BY THE PUBLIC:** Damita Jo Wilder, on behalf of Mt. Zion AME Church in Cullowhee, requested assistance from the county in the renovation and preservation of the Church's cemetery. During the construction of restrooms and kitchen area in 1997 an oversight was made and no drainage pipes or gutters were installed. As a result the bank in the rear of the Church has begun to erode which has resulted in the cemetery sliding down the hill and graves are sinking. The assistance requested is securing the bank, installation of a drainage system, removal of trees and large debris, and dirt to fill in the sunken graves. She stated that the Church has requested donations from family members of the deceased. Assistance was requested and received from the Organization of Ebony Students at WCU. There are no fees for burial in the cemetery. Mt. Zion was founded by former slaves and is a part of the history of Jackson County.

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

Darlene Fox, Finance Director, presented the following highlights:

<u>General Fund Revenues Collected to Date</u>	\$ 23,150,815.18
<u>General Fund Expenditures to Date</u>	\$ 20,442,084.53
<u>Ad Valorem Tax Collected</u>	\$ 15,812,114.11
<u>Motor Vehicle Tax Collected</u>	\$ 462,155.73
<u>Sales &amp; Use Tax for October 2005</u>	\$ 724,471.34
<u>Landfill Disposal Fees Collected</u>	\$ 903,485.93
<u>Contingency Balance</u>	\$ 154,817.57

On-line payments in December were \$23,900.00.

**(2) BUDGET AMENDMENTS:**

<u>DSS Crisis Intervention, Ins. Settlements</u>	\$ 99,673.25*
(*Request for allocation of \$61,500 from Contingency (for fuel costs overruns)	
<u>Health Dept</u>	\$ 58,515.00

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

- (a) A Martin Luther King, Jr. Day Celebration will commence on January 15<sup>th</sup>, 5:00 pm, with a candlelight vigil and unity march on Main St., and a breakfast on January 16<sup>th</sup>, 8:00 am, at the Golden Age Center. Mayor Bellamy of Asheville will be the guest speaker.
- (b) The TWSA Annual Meeting is scheduled for January 17<sup>th</sup>, 5:30 p.m.
- (c) A Second Budget Work Session is scheduled for February 28<sup>th</sup>, 4:00 p.m.
- (d) He will be attending the NACO Conference in Washington, D.C. the week of March 5<sup>th</sup>.
- (e) Cancel the March 6<sup>th</sup> Regular Meeting because he will be out of town.

**(4) COMMISSIONERS REPORT:** Commissioner Crawford announced that she would not be seeking re-election this year.

**(5) COUNTY MANAGER'S REPORT:** None.

**(6) PLANNING DEPT. REPORT:** Linda Cable, Planning Coordinator, submitted a written report and stated that the Land Development Plan Committee will finalize the proposed plan on January 25<sup>th</sup> and plans to make a formal presentation to the county and municipalities in a joint meeting on February 13<sup>th</sup>.

Two Erosion Control, one Cashiers Sign and two Off Premise Sign Permits were issued during the month of December. Robby Sutton, Erosion Control Officer, is working with eight property owners concerning erosion violations.

Her office has applied for a grant from the North Carolina Sediment Control Commission for a second erosion control officer.

She and Robby Shelton plan on being in the Cashiers satellite office on two separate days each week. She also submitted a Building Inspections permit report for 2005.

**(7) HOOPER RIGHT OF WAY AGREEMENT, SCC CASHIERS:** Mr. Holt stated he has not received sufficient documentation from the property owners and requested that this issue be carried over to February.

(8) **N.C. FOREST SERVICE PROPERTY/SCC**: Mr. Holt recommended that the county not sign a deed releasing the reversionary clause until closing of the SCC/Forest Service land swap. He will have the appropriate documents available when the closing is scheduled. Issue tabled.

(9) **SHOP AT HOME**: Carry over because David Skinner, General Manager of WRGC Radio, was not present.

(10) **EAST LaPORTE & SAVANNAH PARKS – MASTER PLAN**: Mr. Westmoreland stated that Site Solutions has been selected to draft a master plan for East LaPorte and Savannah Parks. Site Solutions is required to hold public hearings to gather local input as to the possible nature of the development of the parks. Because of time constraints, Chairman McMahan suspended the rules and Commissioner Madden moved to approve the contract. Commissioner Burrell seconded the Motion. Motion carried by unanimous vote.

(11) **ELECTIONS BOARD RESOLUTION**: Lisa Lovedahl-Lehman, Director of the Board of Elections, requested that this issue be carried over to the next meeting because there still a few details that need to be finalized with ESS. If ESS honors its promise and financial agreement, the county will not be required to expend any funds other than grant money to upgrade the voting equipment.

(12) **LETTER TO LOCAL DELEGATION REQUESTING A SPECIAL SESSION OF STATE LEGISLATURE**: Carry over.

(13) **BENEFICIAL GAS PROJECT UPDATE**: Tim Muth submitted a detailed report. He stated that the gas system is installed and the flame started on January 12<sup>th</sup> and there is no longer any methane being release into the atmosphere. The project has three main goals: economics, environmental protection and education. Six greenhouses have been donated and will be moved and erected on site by Haywood Community College horticultural class. It is anticipated that the greenhouses will be available for use by August 1<sup>st</sup>.

The current plan for Phase I include pottery and glass studios, plus one group of greenhouses (to be operational by late summer 2006); rehabilitation of the warehouse space to include a retail gallery, offices, café, meeting space, and botanicals process area (should be completed within the following year). He presented a drawing depicting the proposed layout of the various buildings. The site should be cleaned up by the end of the month. The Board needs to select a name for the project.

Mr. Westmoreland stated that local funds were used for the acquisition of the Webster Enterprises properties. The remainder of funds for the project is through grants from the Golden Leaf Foundation, N. C. Rural Center and N. C. Dept of Energy. The county had anticipated spending approximately \$1 million to satisfy requirements imposed by the EPA and DEHNR concerning the unfavorable release of methane into the atmosphere. The dollar amount will be expended, but for a beneficial use and is a “win-win” situation. Very few municipal landfills produce the volume and capacity as Jackson

County's. Because it is so unique, the project will more than likely receive national attention and visits to the area.

**(14) LIBRARY DESIGN CONSULTANT:** Mary Otto Selzer, representing the Jackson County Library Committee, requested that the Board schedule a special meeting to interview representatives from two firms the committee selected to compete for the space needs study. The firms are Dubberly Garcia Assoc., Inc. of Atlanta who performed a space needs study for Macon County in 2004 and MSB Consultants of Washington, D. C. Mr. Westmoreland stated that fees are routinely negotiated; however, \$40,000 has been allocated for the study. Proposed dates, within the next two months, for presentations by those firms will be presented at the January 19<sup>th</sup> meeting.

**(15) ARTS COUNCIL PRESENTATION:** Carry over because Ray Menze was unable to be present.

**(16) RESOLUTION – ALVIN DEITZ ROAD:** Starlotte Deitz, on behalf of the property owners, presented a petition requesting that Alvin Deitz Road be extended approximately 0.2 miles and added to the state's maintenance system. She stated she had met on site with DOT officials.

**(17) APPOINTMENT TO CASHIERS DESIGN REVIEW BOARD:** Carry over.

**(18) APPOINTMENTS TO CASHIERS PLANNING COUNCIL:** Carry over.

Commissioner Burrell moved that the Board go into Closed Session pursuant to G. S. 143-318.11(a)(3) Legal. Commissioner Cowan 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.

There being no further business, Commissioner Crawford moved that the meeting be adjourned. Commissioner Burrell seconded the Motion. Motion carried and the meeting adjourned at 7:40 p.m.

Attested By:

Approved:

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Evelyn B. Baker  
Clerk to the Board

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Brian Thomas McMahan, Chairman

