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Posted By: Evelyn Baker
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**MINUTES OF THE REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
JANUARY 19, 2006**

The Jackson County Board of Commissioners met in Regular Session on January 19, 2006, at 6:00 p.m., 401 Grindstaff Cove Road, Room A201, Sylva, North Carolina.

Present:	Brian T. McMahan, Chairman	Absent:	Conrad Burrell, Commissioner
	Roberta Crawford, Vice Chair		Eddie Madden, Commissioner
	Joe Cowan, 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 Erosion & Sediment Control Resolution and Webster Complex Phase I Sitework Bids. Commissioner Crawford moved to approve the amended Agenda. Commissioner Cowan seconded the Motion. Motion carried.

MINUTES: Commissioner Cowan moved to approve the Minutes of the Budget Work Session of January 9, 2006, Public Hearing of January 12, 2006 and Regular Meeting of January 12, 2006. Commissioner Crawford seconded the Motion. Motion carried.

INFORMAL COMMENTS BY THE PUBLIC: None.

(1) FINANCE & TAX COLLECTOR REPORTS FOR DECEMBER 2005 and BUDGET ADMENDMENTS: Commissioner Crawford moved to approve the Finance and Tax Collector's Reports for December 2005 and Budget Amendments. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

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

- (a) Standing room only crowds attended the Martin Luther King, Jr. memorial march and breakfast on January 15th and 16th.
- (b) Randall Turpin, Jackson County's appointee, was appointed Chairman and Sybil Reid, Town of Sylva appointee, was appointed Vice Chair of the TWSA Board of Directors at its annual meeting on January 17th.
- (c) Southwestern Commission Region A meeting is scheduled for January 23rd, Holiday Inn Cherokee.
- (d) He will be in Raleigh for a criminal justice steering committee meeting on January 26th and Vice Chair Crawford will preside at the DOT Secondary Roads Public Hearing on that date.
- (e) He officially announced his candidacy for Chairman of the Jackson County Board of Commissioners in the upcoming election.

(3) COMMISSIONERS REPORT: None.

(4) COUNTY MANAGER'S REPORT: Mr. Westmoreland reported that in 2000 Southwestern Community College received a \$6 million allocation from the North Carolina Education Bond Funds. This requires an equal match from the county over the period of time that the money is available for SCC purposes. George Stanley, Financial Affairs Officer of SCC, informed him that SCC had been notified by Raleigh officials today that the county must make a written commitment towards its match and utilization of those funds by December 31, 2007. The county has a balance of \$3,287,865.00 to meet its obligation. This does not necessarily mean that the funds must be expended by that date, but that projects equaling that amount are scheduled. The county intends to honor its commitment of a full match and make an obligation, not an expenditure of funds, but a commitment of the use of the funds by December 31, 2007. He stated the county cannot lose the availability of those funds and recommended that the balance be included in the county's long range capital improvement plans.

(5) "SHOP AT HOME": David Skinner, General Manager of WRGC Radio, played a sample ad and requested the Board to purchase air time for ads urging citizens to "shop at home, buy local". Chairman McMahan stated that this request will be taken into consideration during budget work sessions.

(6) ELECTIONS BOARD RESOLUTION: Steve Foster, Chairman of the Elections Board, read a resolution to recommend the upgrade of current voting equipment pursuant to Senate Bill 223 (see Attachment A). He requested the Board of Commissioners to approve the resolution. Lisa Lovedahl-Lehman, Elections Director, stated that if the state honors its commitment only HAVA grant money will be used to upgrade the equipment. The Elections Board is still negotiating with the state board and if an agreement cannot be reached, then there is the possibility that the county must allocate the necessary funding; however, she is of the opinion that the state board will fulfill its commitment. Commissioner Crawford moved to approve the resolution. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(7) LETTER TO LOCAL DELEGATION REQUESTING A SPECIAL SESSION OF STATE LEGISLATURE: Commissioner Cowan moved to authorize Chairman McMahan to send a letter to the local delegation requesting a special session of the legislature in order to enact a modest delay in implementation of Senate Bill 223, Public Confidence in Elections. Commissioner Crawford seconded the motion. Motion carried by unanimous vote.

(8) BENEFICIAL GAS PROJECT NAME: Chairman McMahan recommended that "Jackson County" be included in the name. Carry over to February 6th.

(9) LIBRARY DESIGN CONSULTANT MEETING: Odell Thompson on behalf of the Library Design Committee, presented a written report dated January 19, 2006, based stating the suggested square footage and costs for a new library. He stated that the figures were based upon Philip Barton's studies from 1999 and 2004, the related

work performed in 2004 for Macon County by Dubberly Garcia Associates, Inc. and his work in 2004. The Design Committee recommends the following:

<u>Size:</u>	25,000 – 30,000 sq. ft.
<u>Building Costs:</u>	\$3,750,000 - \$4,800,000
<u>Furniture & Fixtures:</u>	\$1,500,000 - \$2,100,000
<u>TOTAL:</u>	\$5,250,000 - \$6,900,000

He stated that the Library Design Committee recommends that a library consultant, not an architect, be employed and requested that a meeting be scheduled so that the Board of Commissioners could interview two design consultants, MSB Consultants of Tampa, Florida, and Dubberly Garcia Assoc. of Atlanta, Georgia. The Design Committee does not recommend using architects who have library design consultants on staff. He stated that the first scope of work by the consultants would be to digest and review what has been done thus far. Secondly, solicit community input, organize and help extract information from the community and design a library appropriate for the county. Thirdly, the consultant would work with a design team to make sure the information collected is implemented appropriately relative to the design of the building and provide assistance with the architect.

Chairman McMahan stated because two Commissioners are absent tonight a meeting with the consultants cannot be scheduled at this time. Further, he prefers that the Library Board in its entirety, not just a sub-committee, officially vote and make a recommendation to the Board of Commissioners. Further, funds may not be available until after July 1st to move forward 100%; however, over the next couple of months as various issues are resolved the project should start to move forward.

(10) RESOLUTION (R06-01) ALVIN DEITZ ROAD: Commissioner Crawford moved to adopt the Resolution. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(11) APPOINTMENT TO CASHIERS DESIGN REVIEW BOARD: Commissioner Crawford moved to appoint David Beam to a 3-year term on the Cashiers Design Review Board. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(12) APPOINTMENTS TO CASHIERS PLANNING COUNCIL: Commissioner Crawford moved to appoint Pat Nardy to fill the unexpired term of Brent Buchanan on the Cashiers Area Planning Council. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

Commissioner Crawford moved to appoint Jeff Zahner to a 3-year term as an alternate on the Cashiers Area Planning Council. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(13) RESOLUTION (R06-02) EROSION & SEDIMENT CONTROL: Mr. Westmoreland explained that the towns of Sylva, Webster, Dillsboro and Village of Forest Hills have requested, by letter, that the N. C. Sedimentation Control Commission permit the Jackson County Planning/Erosion Control Dept. to serve as the erosion control inspecting agency for their respective municipalities. In order to accommodate the

municipalities, the county must receive permission from the N. C. Sedimentation Control Commission which requires the county to adopt a resolution to provide the service. If the request is approved by the state agency, it will provide for funding in its upcoming budget for an additional erosion control officer in order for the county to provide this service. Commissioner Cowan moved to adopt the resolution. Chairman McMahan seconded the Motion. If the county does not receive funding for an additional erosion control officer as anticipated, this resolution can be rescinded. Motion carried by unanimous vote.

(14) BIDS – WEBSTER COMPLEX PHASE I SITEWORK IMPROVEMENTS:

Mr. Westmoreland reported that five bids were received. He recommended that the bid be awarded to the low bidder Phillips & Jordan of Robbinsville, NC, in the amount of \$1,038,620.14 which is \$300,000.00 under the engineer’s estimate. The bid includes site work for Haven at Mountain Oaks, under the direction of Mountain Projects, which is a 24-unit elderly housing unit. Haven at Mountain Oaks will be reimbursing the county the sum of \$116,000.00 which is attributable to its portion of the work. The site work includes providing pads with all utilities available, storm drainage systems, entrance road across the stream, and a temporary sediment pond, so the property will be “construction ready” for any future development. This bid does not include site work for the proposed emergency management or rescue squad buildings. Commissioner Crawford moved to award the bid to Phillips & Jordan in the amount of \$1,038,620.14. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

Commissioner Cowan moved that the Board go into Closed Session pursuant to G. S. 143-318.11(a)(5) Real Property. Commissioner Crawford 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 Cowan moved that the meeting be adjourned. Commissioner Crawford seconded the Motion. Motion carried and the meeting adjourned at 7:20 p.m.

Attested By:

Approved:

Evelyn B. Baker
Clerk to the Board

Brian Thomas McMahan, Chairman

