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

**MINUTES OF THE REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
APRIL 17, 2006**

The Jackson County Board of Commissioners met in Regular Session on April 17, 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  
Eddie Madden, Commissioner  
Kenneth L. Westmoreland, County Manager  
W. Paul Holt, Jr., County Attorney  
Evelyn B. Baker, Clerk to the Board  
Absent: Conrad Burrell, Commissioner

Chairman McMahan called the meeting to order.

**AGENDA:** Commissioner Crawford moved to approve the Agenda. Commissioner Madden seconded the Motion. Motion carried.

**MINUTES:** Commissioner Madden moved to approve the Minutes of the Budget Work Session of March 30, 2006, Public Hearing of April 3, 2006 and Regular Meeting of April 3, 2006. Commissioner Crawford seconded the Motion. Motion carried.

**INFORMAL COMMENTS BY THE PUBLIC:** Kenneth Lee of Sylva stated he started a Cribbage Club in the area which has become very popular. At the present time the club is meeting in the Jack the Dipper building and requested that the Board consider allocating funds to pay someone to be present at the weekly evening club meetings until a staffed facility can be located. Secondly, he stated he was concerned about the infringement of civil liberties under the Bill of Rights because of the USA Patriot Act. He requested that the Board consider adopting a resolution urging State Representatives and Senators and United States Representatives and Senators to monitor the continuing implementation of the USA Patriot Act.

**(1) FINANCE & TAX COLLECTOR REPORTS and BUDGET AMENDMENT FOR MARCH 2006:** Commissioner Cowan moved to approve the Finance & Tax Collector Reports for March 2006. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

**(2) CHAIRMAN'S REPORT:** Chairman McMahan stated:  
(a) He attended the NCACC District Meeting in Asheville on April 12<sup>th</sup> at which time Medicaid relief was the main topic; however, the Senate and House are considering making different proposals. This issue will be discussed with local legislators at the Region A meeting in May.

- (b) The annual “Greening Up the Mountains” Festival is April 29<sup>th</sup> in Sylva.
- (c) He requested the Board to be considering the possible development of some type of revenue option to help fund TWSA. As discussed at the recent Joint Municipalities Meeting, an ad hoc committee could be appointed with a representative from the county and each municipality to study this issue and make recommendations.

**(3) COMMISSIONERS REPORT:** Commissioner Crawford reported that she recently participated in “Community Day” at Fairview Elementary School. Ms. Clement’s first grade class wrote stories and Mr. Westmoreland was requested to select the top three who will be awarded gift certificates in the amount of \$20, \$15 and \$10.

**(4) COUNTY MANAGER’S REPORT:** Mr. Westmoreland stated that an individual has requested that his company be allowed film the interior of the old jail for a documentary concerning the “loss of freedom” in western North Carolina by using the cells as a metaphor that growth and development impinges on the historic character of the area. The film would make a connection between “loss of freedom” through incarceration and loss of land. The film will not focus on or identify Jackson County in any manner. The proposed filming dates are April 22 and 23 for a maximum of six hours. Therefore, and for liability reasons, a county employee must be present during filming. It was the consensus of the Board that the film company be charged \$200 to cover overtime costs for a county employee.

He stated there are still some difficulties with the Cashiers SRC as reported at the last meeting. The engineer has estimated it would cost \$75,000 - \$90,000 for a change order plus the hauling costs for removal of the old waste. Since the county does not have additional funds budgeted for the project, the engineer was requested to review alternatives. The facility has been reopened until an alternative plan is submitted and approved. He will report the engineer’s recommendations when they are made available to him.

He stated that the road leading into the Jackson County Green Energy Park is named “Landfill Road” and asked if the Board had any interest in changing the name to “Green Energy Park Road” or a more appropriate name. An application for the name change will be placed on the May 1<sup>st</sup> Agenda.

**(5) CASHIERS COMMERCIAL AREA LAND DEVELOPMENT ORDINANCE AMENDMENTS (O03-04):** A public hearing on the proposed amendments was held on April 17, 2006 at 5:45 p.m. and no public comments or objections were made. Commissioner Cowan moved to adopt the amendments to the Cashiers Commercial Area Land Development Ordinance. Commissioner Madden seconded the Motion. Motion carried by unanimous vote.

**(6) RESOLUTION (R06-07) OPPOSING SALE OF FOREST SERVICE LANDS:** Commissioner Madden moved to adopt the Resolution. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

**(7) APPOINTMENTS TO SOLID WASTE ADVISORY BOARD:** Carry over.

**(8) APPOINTMENT TO SCC BOARD OF TRUSTEES:** By letter, Dr. Cecil Groves, President of SCC, informed the Board that Edwin Madden, Sr. resigned from the Board of Trustees effective March 24, 2006. His term was due to expire on June 30, 2007. Commissioner Crawford moved to appoint Edwin Madden, Jr. to fill the unexpired term. Commissioner Madden requested and was granted permission to abstain. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

**(9) WEBSTER COMPLEX – UTILITY RIGHT OF WAY AGREEMENT:** Mr. Westmoreland stated that a Duke Power transmission line crossed the center of the Webster Complex. Duke Power was requested to re-locate the line away from the development area. Commissioner Cowan moved to ratify the agreement. Commissioner Crawford seconded the Motion. Motion carried by unanimous vote.

**(10) GREEN ENERGY PARK:** Mr. Westmoreland submitted an Agreement from Mark Karner of Fiery Gizzard Pottery for the design, construction and equipping of a pottery studio at the Jackson County Green Energy Park at an estimated cost of \$42,180.00 which would be paid through the Golden Leaf Foundation grant. Commissioner Crawford moved to approve the Agreement. Commissioner Madden seconded the Motion. Motion carried by unanimous vote.

**(11) PROPOSED BUDGET FOR FY2006-07:** Mr. Westmoreland submitted the FY2006-07 Proposed Budget. He stated the budget was balanced without the need for any tax or fee increase. The proposed budget fully implements the Wage and Classification Plan previously approved by the Board. The proposed budget includes for the first time in two years an increase in group health insurance costs and an 8% adjustment has been built into the budget with several recommended minor coverage changes as recommended by the adjuster. The changes are primarily with the pharmaceutical cards, but should not present a hardship to anyone. The budget fully incorporates all of the goals that the Board has given in terms of directions for the future. He suggested that a public hearing be scheduled and then additional work sessions be scheduled as the Board may deem necessary. A Public Hearing was scheduled for May 15, 2006 at 5:30 p.m.

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 6:40 p.m.

Attested By:

Approved:

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Evelyn B. Baker  
Clerk to the Board

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Brian Thomas McMahan, Chairman

