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Time Posted: _____
Posted By: Evelyn Baker
Witnessed By: _____

**MINUTES OF A REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
MAY 3, 2010**

The Jackson County Board of Commissioners met in a Regular Meeting on May 3, 2010 at 6:30 p.m., 401 Grindstaff Cove Road, Room A201, Sylva, North Carolina.

Present: Brian T. McMahan, Chairman	Ken Westmoreland, County Manager
Tom Massie, Vice Chair	Evelyn B. Baker, Clerk to Board
William Shelton, Commissioner	W. Paul Holt, Jr., County Attorney
Joe Cowan, Commissioner	
Mark Jones, Commissioner	

Chairman McMahan called the meeting to order.

AGENDA: Chairman McMahan added Tuckaseegee Community Building and Jackson County Flag, Commissioner Massie added Commercial Investment Policy. Commissioner Jones moved to approve the amended Agenda. Commissioner Cowan seconded the Motion. Motion carried.

MINUTES: Commissioner Shelton moved to approve the Public Hearing and Regular Meeting Minutes of April 19, 2010, Budget Work Session of April 26, 2010, and Reconvened Budget Work Session of April 29, 2010. Commissioner Jones seconded the Motion. Motion carried.

INFORMAL COMMENTS BY THE PUBLIC:

(a) Wayne Smith of Sylva stated his recent appeal hearing was unfair because the attorney who represented the planning director is involved in a personal relationship with her. Bills submitted by the attorney have, in the past, been approved by the planning director. He understands the bills are now approved by the county manager. The attorney also teaches rules to the planning and other boards as well as the planning director.

(b) Carl Iobst of Cullowhee stated his concerns about the missing EDC audits, past due rents by the tenants in the Tuckaseegee Mills Bldg. and county expenditures.

(c) Ellen Boyd of Dillsboro stated she was in favor of making Jackson County the “Greenest County”, but the most important issue is getting people to garden and grow their own food. She requested the Board allocate small parcels throughout the county for community gardens.

(d) Ronald Arps of the Cope Creek Community stated about two years ago he started a discussion group entitled Community Response for Energy, Action and Transition Education (CREATE). There is a widely held belief that the world has used up about one-half of oil reserves. The lack of oil will affect each aspect of our lives. It is estimated that if 720 acres is planted in vegetables, there would be enough food to feed the 35,000 county residents during the summer. The “Greenest County” is a wonderful idea and would encourage citizens to get involved in gardening and become self-reliant.

(1) COUNTY MANAGER'S REPORT: Mr. Westmoreland stated that originally Attorney Egan was on a retainer as a consultant for the planning department. When his contract was up for renewal, the Board decided to pay him on an hourly basis for specific services. Attorney Egan precisely documents the reasons for the time charged. Linda Cable, Planning Director, has made public the fact that she has a personal relationship with Mr. Egan. She has been removed from the responsibility regarding the review or approval of Mr. Egan's bills. He (Westmoreland) approves them. The planning department has a contracted services budget and Mr. Egan's bills are paid from that account.

(2) CRIMINAL JUSTICE PARTNERSHIP PROGRAM: A grant application was submitted for FY2010-11 in the amount of \$105,630.

***Motion:** Commissioner Cowan moved to approve the grant application. Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.*

(3) COMMUNITY DINING ROOM – AGING FACILITY: Mr. Westmoreland submitted proposed policies, fees and charges for use of the Community Dining Room and lobby area. Two tentative commitments have been made, i.e., SMH Junior/Senior Prom on May 22 and the Sylva Rotary Club fashion show on May 15 and some generalized rules/fee schedule need to be in place to cover those two events.

Questions were raised concerning approved caterers using the kitchen. The county vendor could provide food service if desired; however, if the kitchen is not required for use in food preparation, then food can be brought in by anyone. The Health Dept. restricts a co-mingled use of the kitchen area and does not want to permit outside caterers or parties to use the kitchen. The kitchen rating goes to the vendor for home delivered meals, congregate dining, etc. Covered dish food that is already prepared is permitted.

Concerns were raised about the amount of the proposed rental fees and the 3-hour set up/clean-up fee. Charging for day time use appears to be excessive since housekeeping staff is already on duty; however, the set-up/clean-up is done after hours. A policy was established to prohibit individuals from going into storage areas and dragging out tables and chairs causing damage. The current policy for the Community Services Big Room is for housekeeping staff to set up and take down; however, the current charge (\$10.50/hr) is insufficient to pay the housekeeper because they are paid time and a half to work weekend events. The proposed charges are an attempt to at least cover housekeeping services. It was suggested that a different reasonable rate for housekeeping services plus rental rate for day time use be determined.

Effective December 31, 2010, the Community Services Big Room will no longer be available and the public will be directed to rent the Community Dining Room.

***Motion:** Chairman McMahan moved to approve use of the Community Dining Room on May 15 by the Sylva Rotary Club and May 22 for the SMH Prom at the rates previously quoted for each event. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

Mr. Westmoreland will ascertain the proximate cost of liability insurance for a “one day event”.

(4) WADE HAMPTON GOLF CLUB:

Motion: *Commissioner Jones moved to permit the Wade Hampton Golf Club to display fireworks by a certified pyrotechnics expert at its facility on July 4. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.*

(5) JULY 4TH FIREWORKS: Prior fireworks caused substantial damage to the roof of the old courthouse which must now be replaced. The Recreation Dept. and the Town of Sylva, by consensus, will relocate the Sylva July 4th fireworks to the quarry site in Dillsboro.

(6) TUCKASEIGEE COMMUNITY BLDG: Beverly Turrentine stated 17 acres is available and the landowner is willing to negotiate the price and accept payments. The building has electrical power, showers, kitchen, a huge bay area in the back, and is surrounded by a chain link fence with a gate. In addition there is a large covered area. Members of the community are willing to donate equipment, time, skill and labor to improve the site. She requested the Board to consider purchasing the property because Tuckasegee needs a community building. Nola Brown stated a portion of the building could also be used as a substation for the Sheriff’s Office and Rescue Squads in addition to a voting site with sufficient parking.

(7) JACKSON COUNTY FLAG: Chairman McMahan presented several designs by SCC students for a county flag. Jackson County is one of the very few counties in the state that does not have a flag. The designs on pages one and five, with some changes, were suggested.

(8) COMMERCIAL INVESTMENT POLICY: Commissioner Massie stated the county should consider adopting a commercial investment policy similar to Guilford County and doing all it can to promote investment in the county. Most jobs are created by small businesses and private investments. He suggested the county allocate a modest amount in the upcoming budget for short term tax incentives to assist small business facility improvements and perhaps create new jobs. There should be a strategic planning process involving among others, the two Chambers of Commerce, special interest groups, and Mr. Egan because he has experience in this field.

Mr. Westmoreland suggested that with Linda Cable’s pending retirement, the county should integrate into the new planning director’s job description the duties of economic development.

(9) SOLID WASTE ADVISORY BOARD: Carry over.

CLOSED SESSION:

Motion: *Commissioner Cowan moved that the board go into closed session pursuant to G. S. 143-318.11(a)(4) Business Expansion. Commissioner Shelton seconded the Motion. Motion carried.*

Chairman McMahan called the regular meeting back to order and stated no action was taken in closed session other than approval of closed session minutes.

There being no further business, Commissioner Shelton moved to adjourn the meeting. Commissioner Jones seconded the Motion. Motion carried and the meeting adjourned at 8: 30 p.m.

Attest:

Approved:

Evelyn B. Baker, Clerk to Board

Brian Thomas McMahan, Chairman