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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 17, 2010**

The Jackson County Board of Commissioners met in a Regular Meeting on May 17, 2010 at 6:30 p.m., 401 Grindstaff Cove Road, Room A201, Sylva, North Carolina.

Present: Brian T. McMahan, Chairman  
Tom Massie, Vice Chair  
William Shelton, Commissioner  
Mark Jones, Commissioner

Ken Westmoreland, County Manager  
Evelyn B. Baker, Clerk to Board  
W. Paul Holt, Jr., County Attorney

Absent: Joe Cowan, Commissioner

Chairman McMahan called the meeting to order.

**AGENDA:** Chairman McMahan added Proclamation Honoring Older Americans. Commissioner Shelton moved to approve the amended Agenda. Commissioner Jones seconded the Motion. Motion carried.

**MINUTES:** Commissioner Massie moved to approve the Minutes of the Regular Meeting of May 3, 2010 and Work Session of May 11, 2010. Commissioner Shelton seconded the Motion. Motion carried.

**INFORMAL COMMENTS BY THE PUBLIC:**

- (a) Mary Jo Cobb of Tuckaseegee urged the county to consider purchasing 17 acres in the area for a Tuckaseegee Community Building and possible substation for the Sheriff's Dept. and Rescue Squad. The landowner is willing to negotiate the price and accept payments.
- (b) Carl Iobst of Cullowhee stated the county should not spend funds on the Tuckaseegee Mills Bldg. when a tenant has not paid rent or other debts owed to the county.
- (c) Marie Leatherwood of Sylva stated that in her opinion there are no legal leases for use of the Tuckaseegee Mills Bldg.

**(1) CHAIRMAN'S REPORT:** Chairman McMahan reminded the Board of County Assembly Day, sponsored by the NCACC, on May 19 in Raleigh.

**(2) COUNTY MANAGER'S REPORT:** Mr. Westmoreland reported that good progress has been made on construction of the Early College facility. The Board has taken action in a number of areas to rectify the Tuckaseegee Mills Bldg. issues.

Stonewall Packaging has not applied for any incentives nor have any been granted. The incentive agreement was based upon Stonewall investing a minimum of \$8-\$10 million in either construction or equipment and employing 40 individuals earning a minimum average annual wage of \$39,000. None of the requirements have been satisfied. Therefore, the county is under no obligation to move forward with the incentive agreement.

(3) **PROCLAMATION HONORING OLDER AMERICANS:** Chairman McMahan read a Proclamation honoring older Americans.

**Motion:** *Commissioner Massie moved to proclaim the month of May as Older Americans Month. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(4) **FINANCE & TAX COLLECTOR REPORTS FOR APRIL 2010, BUDGET AMENDMENTS and CAPITAL PROJECT ORDINANCE:** Darlene Fox, Finance Director, presented the finance and tax collector's reports for the month of April 2010 and a capital project ordinance in the amount of \$500,000 is for renovation of an economic development building.

**Motion:** *Commissioner Jones moved to approve the finance and tax collector's reports for April 2010, three budget amendments and Capital Project Ordinance. Commissioner Shelton seconded the motion. Motion carried by unanimous vote.*

(5) **PROPOSED FY2010-11 BUDGET:** Mr. Westmoreland presented the proposed FY2010-11 Budget along with an Executive Summary. The budget is balanced without the need for an ad valorem tax rate increase. He recommended some fee assessments, i.e., nominal fees for use of the Aging Facility, Recreation Facility and safety inspections by the Fire Marshal for ABC Permits. A public hearing was scheduled on June 7, 2010 at 6:00 p.m.

(6) **HAN BUILDING LEASE:** Informal plans are to move county offices located in the Han Bldg. to the old library when it is vacated. The Han family has agreed to extend the lease through December 31, 2011 at the same rate of \$3,000/month.

**Motion:** *Commissioner Shelton moved to approve the Lease. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(7) **COMPUTER PASSWORD POLICY:** The auditors recommended a policy be adopted for employee password security.

**Motion:** *Chairman McMahan moved to adopt the recommended computer password policy. Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.*

(8) **CAPITAL RESERVE RESOLUTION (R10-15):** The resolution is authorization to transfer \$500,000 from the capital reserve fund to the capital projects fund.

**Motion:** *Commissioner Massie moved to adopt the resolution. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(9) **SOLID WASTE ADVISORY BOARD:** Darrell Fox has agreed to continue to serve if reappointed. Commissioner Shelton nominated T. J. Walker to fill one of the three vacancies.

**Motion:** *Chairman McMahan moved to reappoint Darrell Fox and appoint T. J. Walker, both for 4-year terms, to the Solid Waste Advisory Board. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

**CLOSED SESSION:**

**Motion:** *Commissioner Jones moved that the board go into closed session pursuant to G. S. 143-318.11(a)(3) Legal (Stonewall Pkg.), G. S. 143 318.11(a)(6)Personnel and G. S. 143-318.11(a)(5) Real Property (Tuckaseigee). 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.

**AGENDA AMENDMENT:**

**Motion:** *Chairman McMahan moved to amend the Agenda by adding a Resolution to DOT concerning the SCC connector road intersection with Hwy. 116. Commissioner Massie seconded the Motion. Motion carried.*

**(10) RESOLUTION – SCC CONNECTOR ROAD INTERSECTION**

**W/HWY 116 (R10-16):** The resolution requests that DOT give priority consideration to any option for the connector road intersection with Hwy. 116 that will not negatively impact the school bus garage property.

**Motion:** *Commissioner Shelton moved to adopt the resolution. Commissioner Massie seconded the Motion. Motion carried by unanimous vote.*

There being no further business, Commissioner Massie moved to adjourn the meeting. Commissioner Shelton 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