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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
JUNE 7, 2010**

The Jackson County Board of Commissioners met in a Regular Meeting on June 7, 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 Aging Facility Kitchen Renovation Bids. Commissioner Massie moved to approve the amended Agenda. Commissioner Shelton seconded the Motion. Motion carried.

MINUTES: Commissioner Massie moved to approve the Minutes of the Regular Meeting of May 17, 2010. Commissioner Shelton seconded the Motion. Motion carried.

INFORMAL COMMENTS BY THE PUBLIC:

(a) Marie Leatherwood of Sylva stated the conditions of the Tuckaseegee Mills Bldg. are unsatisfactory and she has reported same to OSHA.

(b) Carl Lobst of Cullowhee stated the costs for renovations at the Tuckaseegee Mills Bldg. will probably exceed the \$500,000 appropriation. Non-payment of rents continues to be a problem.

(1) COUNTY MANAGER'S REPORT: Mr. Westmoreland reported:

(a) The county received a Certificate of Appreciation from the Census Bureau. Jackson County ranked 9th highest in the state in terms of an increase in participation.

(b) The board was invited to the Blue Ridge Parkway's 75th Anniversary celebration scheduled on June 15 at the Maggie Valley Club & Resort.

(c) Improvements at the Tuckaseegee Mills Bldg. include: main electrical switchgear has been repaired, a contract has been let for the sprinkler system certification, hazardous barrels have been removed, all minor problems regarding lighting and exit signs have been repaired, QC Apparel's welding operation has been terminated, and Stanton & Stanton has installed a dust collector. A 10,000 gallon underground fuel storage tank has been discovered and there will be additional expense involved in resolving this issue. Quotes for replacement or alternatives concerning the roof and boiler are being solicited.

(2) BUDGET AMENDMENT:

Motion: Commissioner Jones moved to approve one budget amendment. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(3) **RECYCLING BIDS**: Two bids were received for the purchase of recyclables. Mr. Westmoreland recommended a one-year contract with a one-year extension be awarded to Curbside Management, Inc.

Motion: *Commissioner Shelton moved to award the contract to Curbside Mgmt, Inc. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(4) **CASHIERS-GLENVILLE AMBULANCE CONTRACT EXTENSION**: Cashiers-Glenville Rescue Squad has agreed to extend the contract for one year upon the same terms, conditions and payments provided the county reviews their operating costs request next fiscal year.

Motion: *Commissioner Cowan moved to approve the contract extension. Chairman McMahan seconded the Motion. Motion carried by unanimous vote*

(5) **RECREATION DEPT. – JULY FIREWORKS**: Jeff Carpenter, Recreation Director, requested authorization to display fireworks at Harrison Rock Quarry in Dillsboro and Cashiers Community Park on Saturday, July 3rd. The department will be using the professional firm of East Coast Pyrotechnics. The Fire Marshal has approved the request.

Motion: *Commissioner Shelton moved to approve the request. Commissioner Massie seconded the Motion. Motion carried by unanimous vote.*

(6) **GLENVILLE LAKE – JULY FIREWORKS**: Stuart Hall requested that he be allowed to display fireworks at the “Point Subdivision” on Glenville Lake across from Hamburg Baptist Church on July 2. The Fire Marshal has found some deficiencies. Carry over.

(7) **DUKE DISMISSAL DOCUMENTS**: Mr. Westmoreland stated Duke dismissal documents have been finalized; however, one part was for the county to provide Duke with a complete summary of expenditures in opposition to the Dillsboro Dam removal which has been done, but Duke wants to verify the expenditures on site on June 10. Carry over.

(8) **AGENDA AMENDMENT**:

Motion: *Commissioner Massie moved to amend the agenda by adding FY2010-11 Budget. Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.*

(9) **FY2010-11 BUDGET**: Carry over to June 8.

(10) AGING FACILITY – KITCHEN RENOVATION BIDS: Commissioner Massie stated he wanted to clarify state statutes concerning informal bids since the county wants to establish a procedure concerning local contractors.

Mr. Westmoreland stated he instructed the architect to limit the number of bids to three and make contact with interested local contractors. State statutes require a minimum of three bids. Only two local contractors expressed an interest in bidding; however, Riverstone Development Group chose not to submit a bid because it had been awarded another contract, thus leaving Western Builders of Sylva and David E. Looper & Co. as the only bidders. Looper was the contractor for the original facility. Unfortunately for the local contractor, there is a \$13,000 difference in the bids. Even through the project falls under the state threshold for formal bids, the statute requires that informal bids be awarded to the “lowest responsible, responsive bidder” which is the same standard as applies to formal bids. State statutes do not permit latitude for awarding bids to a contractor of choice. The statute does not require informal contracts to be awarded by the governing body; this can be done by the county manager.

(11) SOLID WASTE ADVISORY BOARD: Carry over.

(12) SCC BOARD OF TRUSTEES:

Motion: Chairman McMahan moved to appoint Vance Davidson to a 4-year term on the SCC Board of Trustees. Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.

(13) AGRICULTURAL ADVISORY BOARD:

Motion: Commissioner Shelton moved to reappoint Boyce Deitz and Bryan Bumgarner to 3-year terms on the Agricultural Advisory Board. Commissioner Massie seconded the Motion. Motion carried by unanimous vote.

(14) SOCIAL SERVICES BOARD:

Motion: Commissioner Shelton moved to reappoint Robert Sutton to a 3-year term on the Social Services Board. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(15) COMMUNITY ADVISORY COMMITTEE for LONG TERM CARE:

Motion: Commissioner Jones moved to reappoint Mary Moody and Peggy Revis to 3-year terms on the Community Advisory Committee for Long Term Care. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

CLOSED SESSION:

Motion: Commissioner Cowan moved that the board go into closed session pursuant to G. S. 143-318.11(a)(6) Personnel, G. S. 143-318.11(a)(5) Real Property (Tuckaseegee) and G. S. 143-318.11(a)(4) Business Expansion (Aging Facility Kitchen). 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.

At 8:30 p.m., Chairman McMahan recessed the meeting until June 8 at 6:30 p.m.

Attest:

Approved:

Evelyn B. Baker, Clerk to Board

Brian Thomas McMahan, Chairman