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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  
AUGUST 2, 2010**

The Jackson County Board of Commissioners met in a Regular Meeting on August 2, 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
Mark Jones, Commissioner	
Joe Cowan, Commissioner	

Chairman McMahan called the meeting to order.

**AGENDA:** Commissioner Jones moved to approve the Agenda. Commissioner Shelton seconded the Motion. Motion carried.

**MINUTES:** Commissioner Shelton moved to approve the Minutes of the Public Hearing and Regular Meeting of July 19, 2010. Commissioner Jones seconded the Motion. Motion carried.

**INFORMAL COMMENTS BY THE PUBLIC:**

- (a) Carl Iobst of Cullowhee stated he has been unsuccessful in his attempts to schedule an appointment with the County Manager to discuss county issues.
- (b) Jim McCarthy of Greens Creek stated the sewer line problems at Bull Frog Cove are TWSA's responsibility pursuant to the agreement signed by the county and municipalities. Further, it is a conflict of interest for Chairman McMahan to serve on the TWSA Board.

**(1) CHAIRMAN'S REPORT:** Chairman McMahan reported:

- (a) September 15 is the deadline for counties to present proposed goals to the NCACC. Some of the issues to consider are a new tax structure, secondary roads, etc.
- (b) Dr. Chadwick of East Carolina University wants to schedule a meeting within the next two weeks with representatives from SCC and the county to finalize a site selection for a new dental clinic.
- (c) The next regular meeting is scheduled on August 23 because the Region A Annual Meeting is on August 16.
- (d) The "Marcellus Buchanan III" road naming ceremony is scheduled on August 25, 11:00 a.m. at the Justice Center.

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

(a) The new Transfer Station is open; however, there is a dispute with the contractor concerning the entrance road which has not been completed and liquidated damages have been applied since July 2. The new compaction operation will result in a cost savings to the county in terms of hauling costs.

(b) The Early College Building at SCC will be ready for occupancy when school starts.

(c) The School Board has requested a joint meeting to discuss a performing arts/gym at Smoky Mountain High School.

(d) Revaluation begins in 2011. A resolution was previously adopted requesting the Legislature to review the state's property assessment and amend the Machinery Act.

**(3) BULL FROG COVE SEWER PROJECT:** The total cost for the project is \$52,961.00. Matt Wike stated the Bull Frog Homeowner's Assoc. can only pay 50% of the cost and requested the county to contribute 50%. Commissioner Cowan stated he owns property on Bull Frog Cove Rd., which is not connected to the sewer line in question and even though there is no conflict of interest, he will abstain from voting. TWSA has agreed to manage construction of the project.

***Motion:*** Commissioner Massie moved to appropriate 50% the costs from the emergency water/sewer fund to the project. Commissioner Shelton seconded the Motion. Motion carried by a vote of 4-0. Commissioner Cowan recused himself.

**(4) R.O.A.P. PROGRAM:** A public hearing was held on August 2 at 6:15 p.m. and no public comments were made. The Transit Dept. requested approval of the FY2010-11 Rural Operation & Assistance Program Certified Statement.

***Motion:*** Commissioner Jones moved to approve the Certified Statement. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

**(5) HAN BUILDING LEASE:** The original lease for the Han Building stated the rent was \$3,000 per month with an annual CPI adjustment. The lease submitted to the Board in May stated the rent was "\$3,000.00" per month; however, the monthly rent should be \$3,276.08 due to the CPI increases. Secondly, Dr. Han has agreed to extend the lease through March 31, 2012 with no rent adjustment.

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

**(6) PRESS CONFERENCES:** Carry over

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

**(8) INDUSTRIAL FACILITIES & POLLUTION CONTROL FINANCING AUTHORITY:**

***Motion:*** Commissioner Shelton moved to reappoint Douglas Craig Forrest and Mary Otto Selzer to 6-year terms on the Industrial Facilities & Pollution Control Financing Authority. Commissioner Massie seconded the Motion. Motion carried by unanimous vote.

(9) **CASHIERS PLANNING COUNCIL**: Carry over.

**CLOSED SESSION:**

**Motion:** *Commissioner Jones moved that the board go into closed session pursuant to G. S. 143-318.11(5) Real Property (Tuckaseige Mills Bldg.), G. S. 143-318.11(a)(6) Personnel, and G. S. 143-318.11(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.

At 8:15 p.m., Chairman McMahan recessed the meeting until August 9, 2010 at 6:30 p.m.

Attest:

Approved:

\_\_\_\_\_  
Evelyn B. Baker, Clerk to Board

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Brian Thomas McMahan, Chairman