

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

**MINUTES OF A REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
AUGUST 23, 2010**

The Jackson County Board of Commissioners met in a Regular Meeting on August 23, 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: Chairman McMahan added Closed Session Request and Community Table. Commissioner Jones moved to approve the amended Agenda. Commissioner Shelton seconded the Motion. Motion carried.

MINUTES: Commissioner Massie moved to approve the Minutes of the Public Hearing and Regular Meeting of August 2 and Reconvened Regular Meeting of August 9, 2010. Commissioner Shelton seconded the Motion. Motion carried.

INFORMAL COMMENTS BY THE PUBLIC:

- (a) Carl Lobst of Cullowhee stated the raises to certain employees are wrong.
- (b) Marie Leatherwood of Sylva stated her concerns about the Tuckaseigee Mills Bldg. and providing travel expenses for NCACC meetings.
- (c) Jim McCarthy of Greens Creek stated the Mercer salary study did not use private sector comparisons. The recommended pay steps were 1-30, but the county increased them to 35.

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

- (a) Last Friday, the Early College building located on SCC campus was issued a Certificate of Occupancy and will be open when school starts.
- (b) The Transfer Station will be closed on August 24-25 for paving.

(2) JACKSON COUNTY HERITAGE WEEK PROCLAMATION: Chairman McMahan read a proclamation proclaiming the week of September 26 through October 2 as Jackson County Heritage Week.

Motion: *Chairman McMahan moved to proclaim the week of September 26 through October 2 as "Jackson County Heritage Week". Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.*

(3) HONOR AIR FLIGHTS: Scott Baker, Sylva Rotary Club, requested the county to assist an Honor Air Flight for ten WWII veterans and three guardians. Some of the veterans are from Cherokee and Swain County. The rates have been reduced to \$300 per veteran, but the guardian rate remains at \$200. Funding requests are also being made to Swain County and the Tribal Council. The total needed for nine veterans and three guardians is \$3,300. Any surplus funds will be refunded to Jackson County.

Motion: Commissioner Cowan moved to appropriate \$3,300 from the miscellaneous donation fund for the Honor Air Flight. Commissioner Jones seconded the Motion.

Commissioner Massie requested that the motion be amended to fund \$2,200 for six Jackson County veterans and two guardians; however, if Swain County and the Tribal Council do not make sufficient contributions, Mr. Baker can make another request to the Board.

Commissioner Cowan amended his motion and moved to appropriate \$2,200 from the miscellaneous donation fund for the Honor Air Flight. Commissioner Jones seconded the amended motion. Motion carried by unanimous vote.

(4) COMMUNITY TABLE: Amy Grimes, Director, stated the Community Table plans to lease the former Golden Age building from the Town of Sylva. The building needs renovations to make it operational; however, her budget is insufficient to pay for repairs. The Town has approved the renovation plans. She requested the county to appropriate \$50,000 for the first phase of repairs. For the past year, Community Table average 120 meals per night, except for the summer months. The annual budget is \$90,000 - \$100,000. She will furnish the county with a list of proposed renovations. The cost projection for all phases is approximately \$90,000.

(5) FINANCE & TAX COLLECTOR REPORTS FOR JULY 2010 and BUDGET AMENDMENTS: Darlene Fox, Finance Director, presented the finance and tax collector's reports for the months of July 2010 and three budget amendments.

Motion: Commissioner Cowan moved to approve the finance and tax collector's reports for July 2010 and three budget amendments. Commissioner Jones seconded the motion. Motion carried by unanimous vote.

(6) PRESS CONFERENCES: The following rules and procedures were recommended:

- (a) This portion of the agenda is designed to allow members of the local press corps to bring questions and/or follow up questions before the Board of Commissioners for a response.
- (b) The Board of Commissioners will reserve the right to determine the appropriate amount of time designated for the press conference portion of the agenda based upon the amount of time available.
- (c) The Board of Commissioners reserves the right to answer or not to answer any question submitted to the board during this portion of the agenda.
- (d) Questions may be directed to the board in general or to one particular Commissioner.
- (e) The chairman of the Board has the authority to rule any member of the press out of order or any question out of order if necessary.
- (f) The Board of Commissioners will reserve the right to remove this agenda item from the agenda at any given meeting or terminate the opportunity entirely.

Motion: Chairman McMahan moved to approve the rules and procedures as recommended and add “Press Conference” to the Agenda. Commissioner Massie seconded the Motion. Motion carried by unanimous vote.

(7) **GREENWAYS GRANT:** Emily Elders, Recreation Project Manager, stated the Recreation Dept. and its partners, the Health and Aging Depts., were awarded a \$60,000 grant from the Fit Community Program of the NC Health & Wellness Trust Fund. The grant includes funding for improvements and additions to the walking trail at Smokey Mountain Elementary School and various countywide active living programs that focus on incorporating walking and cycling into everyday living.

(8) **SKYLAND CARE CENTER EXPANSION – RESOLUTION R10-22:** A power point presentation addressing Recovery Zone Facility Bonds (RZFB) was presented on behalf of Skyland Care Center, Inc. Mary Nash Rusher, attorney for Skyland Care Center, participated via speaker phone. She stated Recovery Zone Facility Bonds were created by the American Reinvestment & Recovery Act to stimulate private investment. The first step is the designation of a recovery zone which is any area designated by the county as having significant poverty, unemployment, rate of home foreclosures or general distress and designation of the entire county is permitted. Purchase of land is not permitted. The re-allocation to Jackson County is \$6,136,000. Applicants must be able to obtain financing and close the issue in a timely manner, including demonstration of a commitment from a bank or other financial institution to purchase or underwrite the bonds. Bonds to finance private entities are issued by the county’s Industrial Facilities and Pollution Control Financing Authority. The Authority must adopt an inducement or preliminary resolution and the county must hold a public hearing and adopt an “approval in principal” resolution. The Local Government Commission must approve bond documents. The deadline is December 31, 2010.

Charles McDarris, representative for Skyland Care Center, stated they want to make significant improvements to the facility but need RZFB funds. At present the facility accommodates 84 individuals. Plans are to add an addition including an in-patient/out-patient rehabilitation facility, and completely renovate the existing building. The estimated investment is \$4.6 million. The facility presently has 60 fulltime and 20 part-time employees. Additional employment would be available after renovations are completed.

The issuer is the county’s Industrial Facilities & Pollution Control Financing Authority. Neither the County, the Authority, nor the State of North Carolina have any liability whatsoever for debts, bonds or construction of the project. As a part of the process, the county is required to adopt a resolution designating a recovery zone.

Motion: Commissioner Massie moved to adopt a Resolution designating the entire county as a recovery zone. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(9) **SEPTEMBER - FIRST REGULAR MEETING:** It was the consensus to cancel the first regular meeting in September. The next regular meeting will be September 20.

(10) SOLID WASTE ADVISORY BOARD:

Motion: *Commissioner Massie moved to appoint Kenneth Brown to a 4-year term on the Solid Waste Advisory Board. Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.*

(11) CASHIERS PLANNING COUNCIL: Carry over.

(12) WATER RESOURCES ADVISORY BOARD: Charles Stephens is retiring and recommended that Tonya Howell, also of the Health Dept., be appointed as his replacement.

Motion: *Commissioner Massie moved to appoint Tonya Howell to the Water Resources Advisory Board. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

PRESS CONFERENCE

CLOSED SESSION: Chairman McMahan stated there is a need for the board to go into closed session pursuant to G. S. 143-318.11(a)(4) Business Expansion (Homtex, Inc.), G. S. 143-318.11(a)(3) Legal (Stanton & Stanton), G. S. 143-18.11(a)(6) Personnel, G. S. 143-318.11(a)(5) Real Property (Metz Property -Tuckaseigee), and G. S. 143-318.11(a)(1) Privileged Information (Minutes of Closed Sessions).

Motion: *Commissioner Cowan moved that the Board go into closed session. 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.

(13) CLOSED SESSION REQUEST: Carry over.

There being no further business, Commissioner Shelton moved to adjourn the meeting. Commissioner Jones seconded the Motion. Motion carried and the meeting adjourned at 10:00 p.m.

Attest:

Approved:

Evelyn B. Baker, Clerk to Board

Brian Thomas McMahan, Chairman

