

**MINUTES OF A REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
OCTOBER 18, 2010**

The Jackson County Board of Commissioners met in a Regular Meeting on October 18, 2010 at 6:30 p.m., 401 Grindstaff Cove Road, Room A201, Sylva, North Carolina.

Present: Brian T. McMahan, Chairman
Joe Cowan, Commissioner
William Shelton, Commissioner
Mark Jones, Commissioner

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

Absent: Tom Massie, Vice Chair

Chairman McMahan called the meeting to order.

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

MINUTES: Commissioner Jones moved to approve the Minutes of the Regular Meeting of October 11, 2010. Commissioner Shelton seconded the Motion. Motion carried.

INFORMAL COMMENTS BY THE PUBLIC:

(a) Jeff Carpenter, Recreation Director, stated that Jackson County has been awarded a Clean Water Management Trust Fund grant for the Tuckasee River Greenway in the amount of \$415,000.

(b) Charles Stanton of Stanton & Stanton stated his complaints involving his tenancy in the Tuckasee Mills Bldg.

(c) Elizabeth Stanton of Sylva stated Stanton & Stanton is trying to relocate the business.

(d) Carl Iobst of Cullowhee questioned the Chairman's March travel expenses.

(e) Helen Bryson, Aging Dept. Director, stated she attended the State Aging Conference in Raleigh last week. Jackson County received the "Ernest B. Messer Award" which recognizes a community which has excelled in addressing the needs of its older citizens and the "Ann B. Johnson Award" which recognizes the contributions of older workers for their special qualities and work ethic in the workplace.

(1) COMMISSIONER REPORTS: Commissioner Shelton reported that several members of the agricultural community have contacted him concerning the FDA Food Safety Modernization Act (Senate Bill 510) which is causing a great deal of anxiety among small producers. FDA being involved with food safety along with USDA would create a scenario which will make it difficult for small farms and markets to stay in business. Several amendments have been introduced to make the Bill more workable for small farms; however, he recommended the county draft a resolution in support of the Bill being friendly to small farms across the state.

(2) FINANCE & TAX COLLECTOR REPORTS FOR SEPTEMBER 2010, BUDGET AMENDMENTS and PROJECT ORDINANCE: Darlene Fox, Finance Director, presented finance and tax collector's reports for the month of September 2010, two budget amendments and one project ordinance (Webster Complex).

Motion: *Commissioner Shelton moved to approve the finance and tax collector's reports for September 2010, two budget amendments and one project ordinance. Commissioner Cowan seconded the motion. Motion carried by unanimous vote.*

(3) SMOKY MOUNTAIN CENTER: Shelly Foreman, Community Relations Coordinator, stated that as of July 1st, SMC turned over the services to Appalachian Community Services. The services include psychiatric, clinical, and adult care in addition to the recovery unit at the Balsam Center. Appalachian provides a comprehensive system of care and full range of outpatient community based services. Appalachian has met all standards for access of care and respond very well to emergency, urgent and routine services. SMC will monitor all funds provided to Appalachian for services.

Chris Abbey, Assistant Clinical Director for Appalachian, stated the company has taken over all crisis and outpatient services for Jackson County. A local site for outpatient services should be finalized shortly. Outpatient services include psychiatric care, group and family therapy, walk-in service, mobile crisis unit, and crisis management.

(4) TRANSIT PROCUREMENT POLICY: Chuck Norris, Director, stated that in order for the Transit Dept. to close the Federal Compliance Review conducted on April 22, 2010, the Board needs to consider approving the following finding concerning procurement policy/standards:

Procurement Standards: A Procurement policy has been developed to include various Federal terms and conditions in the procurement and contract documents executed by Jackson County for Jackson County Transit. These standards and practices include Buy America; suspension/debarment; lobbying; and Disadvantaged Business Enterprise (DBE); along with credit card and fuel card policies. This policy also addresses the applicable third part contract terms and conditions and specific procedures to be followed in the event of procurement disputes.

Motion: *Commissioner Cowan moved to approve the procurement policy. Commissioner Shelton seconded the motion. Motion carried by unanimous vote.*

(5) GREEN ENERGY PARK: Timm Muth, Director, presented a video of recent events at the park and a power point presentation of future plans for the park. He stated that by burning landfill gas in a controlled fashion, the park helps improve local air quality and the environment. The environmental savings to date is 888 tons of methane. The park is the only LFG-fired art foundry in the country. The foundry opens new opportunities for metal artists. The park has partnered with WCU to offer metal casting to fine arts students. A public aluminum pour is scheduled for October. Currently there are 12 glass artists utilizing shop space and one blacksmith. A waste heat recovery system is being developed which maximizes efficiency by capturing and reusing waste heat from forges and furnaces and circulated back into the building for space heating and supplement greenhouse heating. Construction of the Craft Center Complex will complete the initial master plan and will include: a professional ceramics studio, 14 "open" studio

spaces, multi-use education center, artists' gallery and two offices. Once all artist studios and residency positions are filled, the increased rental income should be sufficient to allow the park to reach its goal of being operationally self-sufficient.

(6) TRANSPORTATION BOARD:

Motion: *Commissioner Jones moved to re-appoint Donald Selzer a 3-year term on the Transportation Board. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.*

(7) PLANNING BOARD: Carry over.

CLOSED SESSION: Attorney Holt stated there is a need for the board to go into closed session pursuant G. S. 143-318.11(a)(4) Business Expansion (Homtex).

Motion: *Chairman McMahan moved that the Board go into closed session. Commissioner Jones 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 7:45 p.m.

Attest:

Approved:

Evelyn B. Baker, Clerk to Board

Brian Thomas McMahan, Chairman