

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

**MINUTES OF A REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
NOVEMBER 15, 2010**

The Jackson County Board of Commissioners met in a Regular Meeting on November 15, 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 Massie moved to approve the Agenda. Commissioner Shelton seconded the Motion. Motion carried.

MINUTES: Commissioner Shelton moved to approve the Minutes of the Regular Meeting of November 1, 2010. Commissioner Jones seconded the Motion. Motion carried.

INFORMAL COMMENTS BY THE PUBLIC: Pam Panozzo, Chairman of the Advisory Committee for the Senior Center and on behalf of the Dept. on Aging, the senior center, and all its participants, thanked the Board for its hard work in building them a new facility. Because of the additional space, many new programs and classes have been added to the center's schedule. Due to the growth, hours have been increased from 5:00 – 7:00 p.m. two nights per week. Along with the variety of programs and classes, more special events have been added due to the size of the Heritage Room and an on-site catering service. She presented Certificates of Appreciation to the Board and County Manager.

(1) COMMISSIONER REPORTS: Commissioner Massie reported:

(a) The NC Mountain Resources Commission will be meeting at the Senior Center on November 19 at 1:00 p.m. The Commission is a gubernatorial appointed board that looks at issues of importance to western North Carolina. The public is invited to attend.

(b) The Clean Water Management Trust Fund has awarded an additional \$22,000 to the Tuckasegee Greenway project making a grand total of \$437,000.

(c) There is inadequate directional signage for the Senior Center off Hwy. 116. Mr. Westmoreland responded the Maintenance Dept. is constructing the sign.

(2) FINANCE & TAX COLLECTOR REPORTS FOR OCTOBER 2010 and BUDGET AMENDMENT: Darlene Fox, Finance Director, presented finance and tax collector's reports for the month of October 2010, one budget amendment. She also presented Smoky Mountain Center's quarterly financial report.

Motion: *Commissioner Shelton moved to approve the finance and tax collector's reports for October 2010 and one budget amendment. Commissioner Massie seconded the motion. Motion carried by unanimous vote.*

(3) SCATTERED SITE HOUSING PROGRAM: A Cost Allocation Plan was presented for approval.

Motion: *Commissioner Cowan moved to approve the Cost Allocation Plan. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(4) GDS SERVICE AGREEMENT AMENDMENTS: Mr. Westmoreland stated the GDS Service Agreement is reviewed periodically and a number of changes have transpired over the last year or projected to take place over the next two years which includes CPI adjustments, reduce SRC operations one hour per day, and additional containers for state-mandated electronics recycling. The amendment reflects an overall reduction in costs of \$1,650 per month for a total of \$19,800 per year.

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

(5) CODE OF ETHICS RESOLUTION (R10-25): The 2009 General Assembly passed a law requiring all counties, cities, local boards of education, unified governments, sanitary districts, and consolidated city-counties to adopt a code of ethics resolution or policy by January 1, 2011.

Motion: *Commissioner Jones moved to adopt a Code of Ethics Resolution. Commissioner Massie seconded the Motion. Motion carried by unanimous vote.*

(6) U.S. SENATE BILL 510 RESOLUTION (R10-26): Commissioner Shelton explained that U.S. Senate Bill 510 in its present form greatly penalizes and threatens small farms, home businesses, and local organic and community food production with onerous rules that create "entry barriers" that could destroy local and natural food production. He urged incorporation of the following amendment to the Bill:

"Rule of Interpretation — No provision of this Act shall be deemed to apply (a) to any home-business, homestead, home or community gardens, small farm or ranch, organic or natural agricultural activity, (b) to any family farm or ranch, or (c) to any natural food product."

Motion: *Commissioner Shelton moved to adopt the Resolution. Chairman McMahan seconded the Motion. Motion carried by unanimous vote.*

(7) COMMUNITY ADVISORY COMMITTEE FOR LONG TERM CARE:

Motion: *Commissioner Massie moved to reappoint Evelyn Austin to a 3-year term on the Community Advisory Committee for Long Term Care. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.*

Commissioner Massie stated being a Commissioner is an interesting and challenging job. It has been an honor and privilege which he will remember and cherish. He thanked the public for the opportunity to serve. He expressed appreciation to county employees for their support and the work they have done. He also thanked the Board members for their ability to work well together and for their time and effort in doing their job.

PRESS CONFERENCE

CLOSED SESSION:

Motion: *Chairman McMahan moved that the board go into closed session pursuant to G. S. 143-318.11(a)(6) Personnel. Commissioner Massie 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: Chairman McMahan moved to amend the Agenda by adding Sheriff's Office Request to Create a Chief Deputy Position. Commissioner Jones seconded the Motion. Motion carried.

(8) SHERIFF'S OFFICE – CHIEF DEPUTY POSITION: By letter, Sheriff Ashe stated he needs a Chief Deputy position and no longer needs a Staff Attorney position which has been vacated. He requested the creation of a Chief Deputy position utilizing the funds currently available in the Staff Attorney position.

Motion: *Commissioner Cowan moved to remove the position of Staff Attorney in the Sheriff's Office and create a Chief Deputy position. Commissioner Jones seconded the Motion. No new funds will be utilized. Motion carried by unanimous vote.*

There being no further business, Commissioner Cowan moved to adjourn the meeting. Commissioner Massie seconded the Motion. Motion carried and the meeting adjourned at 7:30 p.m.

Attest:

Approved:

Evelyn B. Baker, Clerk to Board

Brian Thomas McMahan, Chairman

