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Posted By: Evelyn Baker
Witnessed By: _____

**MINUTES OF A REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
OCTOBER 19, 2009**

The Jackson County Board of Commissioners met in a Regular Meeting on October 19, 2009 at 6:30 p.m., 401 Grindstaff Cove Road, Room A201, Sylva, North Carolina.

Present: Brian T. McMahan, Chairman	Ken Westmoreland, County Manager
Joe Cowan, Commissioner	Evelyn B. Baker, Clerk to Board
Mark Jones, Commissioner	W. Paul Holt, Jr., County Attorney
William Shelton, Commissioner	
Absent: Tom Massie, Vice Chair	

Chairman McMahan called the meeting to order.

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

MINUTES: Commissioner Jones moved to approve the Minutes of the Regular Meeting of October 5, 2009. Commissioner Shelton seconded the Motion. Motion carried.

FRIENDS OF THE LIBRARY: Chairman McMahan recognized Friends of the Library for their success in winning the state's first place Reid award for Chapter of the Year.

BOOKS FOR BRICKS CHALLENGE: June Smith, President of Friends of the Library, stated this is the fifth year of "Books for Bricks Challenge" fundraiser by children for the new library. The children who participated read 1,792 books and raised \$1,491.00. Certificates were presented to the children who participated in the event.

INFORMAL COMMENTS BY THE PUBLIC:

(a) J. K. Coward, Jr., member of task force, stated the county should not accept the proposed Comprehensive Transportation Plan because it is not a document prepared locally, nor a citizen-based endeavor, and there are no minutes and/or records to explain what has occurred over the past five years. The task force was advised by NCDOT that the by-pass is beyond the scope of the CTP, thus the process is flawed. Further task force meetings and studies are necessary.

(b) Sunny Himes of Sylva stated the by-pass should not be included in the CTP. It appears that the by-pass has priority even though it is the only new facility in the CTP and will cause more impact to the county than all other projects combined. The task force was required to make a decision about a by-pass using NCDOT criteria, not local decision-making criteria. The county needs to look at issues such as protecting health, environment, economy, and community.

(c) Jeanette Evans of Cullowhee stated NCDOT only looked at traffic counts and congestion, not the local economy and future growth. She stated the task force was not informed of what type of interchange a by-pass would require at its intersection with Hwy. 107, i.e. a bi-level, cloverleaf or overpass. Some of the proposed projects in the CTP are good, but the by-pass is not.

(d) Robert Stafford of Glenville requested that the new recreation center to be constructed in the southern part of the county be named the "South Jackson Recreation Center".

(e) Marybeth Druzbeck of Webster stated the county should consider the affects of a by-pass on local businesses, the resulting loss of revenue and sales tax, plus the loss of property tax. She requested the county to take time to truly plan for the future of the county.

(f) Susan Leveille of Webster, task force member, requested that the county carefully review the proposed CTP plan because there is a large gap between the county's priorities and what NCDOT found would be expedient for the task force to pursue. There was a vote at the last meeting to ignore farmland which is opposite of the county's Land Use Plan which calls for the preservation of farmland.

(g) Starlotte Deitz of Dillsboro stated this past weekend's Vietnam Moving Wall event was a success. She thanked the county for its participation in the event.

(1) FINANCE & TAX COLLECTOR'S REPORTS for SEPTEMBER 2009, BUDGET AMENDMENT and CAPITAL PROJECT ORDINANCE: Darlene Fox, Finance Director, presented the finance and tax collector's reports for the month of September 2009, budget amendment, and a Capital Project Ordinance for the solid waste project.

***Motion:** Commissioner Shelton moved to approve the finance & tax collector's reports for September 2009, budget amendment and capital project ordinance for the solid waste project. Commissioner Jones seconded the motion. Motion carried by unanimous vote.*

(2) COMPREHENSIVE TRANSPORTATION PLAN: Ryan Sherby, RPO Planner, presented an overview of Jackson County transportation planning over the past six years including a timeline and recommendations. The CTP replaces the traditional thoroughfare plan. The proposed project list, in no particular order, is:

- NC 107 improvements (Asheville Hwy to 4-lane divided)
- Asheville Highway (NC 107 to US 74)
- US 64 in Cashiers improvements w/ roundabout
- Cope Creek Rd improvements (E Cope Creek to US 74)
- Old Settlement Rd improvements
- Skyland Dr improvements (Asheville Hwy to Steeple Dr)
- Grindstaff Cove Rd (Mill St to US 74)
- US 441 improvements from the Small Area Plan
- US 19 improvements (Qualla to county line)
- US 441 and NC 116 intersection improvements
- NC 107 S improvements (NC 281 to Cashiers)
- NC 107 Connector (NC 107 to US 74, location yet to be determined)
- US 23 Bus (West Main St) improvements
- NC 116 improvements (NC 107 to US 441)
- US 74 and Bus 23 (Exit #85) interchange improvements
- Speedwell Rd improvements
- Centennial Dr (addressed in WCU master plan)

He stated the biggest challenge is the NC 107 commercial corridor. NC 107 is a part of NCDOT's Strategic Highway Corridor Initiative. The county will be requested to adopt the plan after it is adopted by the municipalities.

A public hearing is scheduled for November 2, 2009 at 6:00 p.m.

(3) **JACKSON NEIGHBORS IN NEED:** Bob Cochran, DSS Director, stated the \$20,000 appropriation in February by the county was shared with United Christian Ministries. UCM disbursed \$10,000 for 56 electric bills and 3 rent payments. DSS disbursed \$10,000 for 38 electric bills and 4 rent payments. The two agencies work together to coordinate assistance to families. It is anticipated the program will receive approximately \$1.3 million in grant funds this fall.

(4) **GREEN ENERGY PARK:** Timm Muth, Director, gave a power point presentation of the activities at the park over the past year. A foundry (metal pouring) was donated and was the first in the world to use landfill gas for a metal foundry. A natural dyeing workshop was held in May and the second annual “Art in the Park” event was very well attended. The Grounds Dept. has realized significant savings by propagating and growing landscaping plants in the greenhouses. One glass blowing studio has been leased, Ray’s Florist has renewed a greenhouse lease and John Burtner has renewed a blacksmith shop lease.

(5) **LITTLE TENNESSEE RIVER WATERSHED ASSOC.:** Jenny Sanders, Executive Director, stated the mission of the association is to protect and restore the health of the waters of the Little Tennessee River and its tributaries upstream of Fontana reservoir through monitoring, education, habitat restoration, and citizen action. The association works with planning and watershed boards to positively affect land use activities in the basin.

(6) **AGING FACILITY:** Mr. Westmoreland stated two bids for janitorial service were received for the new Aging facility and he had checked references, insurance, etc. for the low bidder, MRM Services, who bid \$73,840.00 which included all cleaning equipment, paper products and soap. He recommended that the contract include a phrase that if the building is not kept up to county standards, after sufficient time to correct the deficiencies, then the contract shall be considered null and void. The kitchen/dining room were not included. The cost to the county, including benefits, for three employees would be \$118,377.00 which is in the current budget. Discussion was had concerning the advantages of county staff because their scope of work goes beyond just custodial duties and they can be rotated to other county buildings.

Motion: *Chairman McMahan moved to reject all bids and hire three employees in the Housekeeping Dept. Commissioner Cowan seconded the motion. Motion carried by unanimous vote.*

(7) **SMOKY MOUNTAIN HIGH SCHOOL:** The school board requested that the county proceed with a research and design study for a fine arts/gym for the high school. This would entail securing the services of an architect and begin a feasibility study of the need for the fine arts/gym.

Motion: *Commissioner Cowan moved to grant the school board’s request. Commissioner Shelton seconded the motion. Motion carried by unanimous vote.*

(8) LIBRARY: McMillan Smith & Partners Architects merged with Pazdan-Smith Group, Inc. Architects. The new name is McMillan Pazdan Smith, LLC. The firm is requesting the county's consent to the assignment of the architectural agreement for the library project to the new firm. All conditions of the contract will remain intact.

Motion: Commissioner Shelton moved to authorize the assignment of the architectural agreement for the library project to the firm of McMillan Pazdan Smith, LLC. Commissioner Jones seconded the motion. Motion carried by unanimous vote.

(9) COUNCIL ON AGING:

Motion: Commissioner Cowan moved to reappoint Carol Austin, Maria Crawford and Becky Middleton to 3-year terms on the Council on Aging. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(10) HEALTH BOARD:

Motion: Commissioner Shelton moved to reappoint Jerry DeWeese, Ronald Fisher, Ginger Fullbright, Doug Homolka, Joyce Lovin, David McGuire, Nell Sanford, Linda Servoss and Thomas Turrentine to 3-year terms on the Board of Health. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(11) CASHIERS PLANNING COUNCIL:

Motion: Commissioner Jones moved to reappoint Charlie Ward and Pat Nardy and appoint John Sullivan as members, and reappoint Wendy Dowden and Joe Stroup as alternates, all for 3-year terms on the Cashiers Planning Council. Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.

(12) BOARD OF ADJUSTMENT APPOINTMENTS: Carry over.

(13) WATER RESOURCES BOARD APPOINTMENTS: Carry over.

CLOSED SESSION:

Chairman McMahan stated there was a need for a closed session pursuant to G. S. 143-318.11(a)(5) Real Property/G. S. 143-318.11(a)(4) Business Expansion (Clearwood Facility).

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 except approval of minutes.

There being no further business, Commissioner Cowan moved to adjourn the meeting. Commissioner Shelton seconded the Motion. Motion carried and the meeting adjourned at 9:15 p.m.

Attest:

Evelyn B. Baker, Clerk to Board

Approved:

Brian Thomas McMahan, Chairman