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

**MINUTES OF THE REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
MARCH 8, 2007**

The Jackson County Board of Commissioners met in Regular Session on March 8, 2007, at 6:00 p.m., 401 Grindstaff Cove Road, Courtroom One, Sylva, North Carolina.

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

Chairman McMahan called the meeting to order.

AGENDA: Commissioner Jones moved to approve the Agenda. Commissioner Cowan seconded the Motion. Motion carried. Chairman McMahan stated that Legislative issues will be moved to the first of the agenda.

MINUTES: Chairman McMahan corrected the February 22 Regular Meeting Minutes, paragraph (4) by adding Commissioner Jones' name as attending the meeting with Congressman Shuler. Commissioner Cowan moved to approve the corrected Minutes of the Regular Meeting of February 22, 2007, Minutes of the Budget Work Session of February 22, 2007, Minutes of the Public Hearing of February 27, 2007, and Minutes of the Special Meeting of February 28, 2007. Commissioner Shelton seconded the Motion. Motion carried.

INFORMAL COMMENTS BY PUBLIC:

1. Marie Leatherwood of Sylva stated that she was very concerned about the association between the EDC and JDC and did not think the county should rejoin the EDC. She presented a list of written questions and requested that Chairman McMahan furnish her a written response.
2. Mary Jo Cobb of Tuckaseegee stated she supports a moratorium because it is about personal property rights for everyone and good ordinances should be put in place.
3. Nola Brown of Tuckaseegee stated she supports a moratorium because the mountains are being "gobbled up" by private developers and citizens cannot continue to enjoy the mountains without some regulations.

4. Sam Lupas of Cullowhee stated that an impact study was done by James W. Garland, WCU professor, of The DreamCatcher Group, Inc. The study reflects that the gross impact of the moratorium for 6 months is a loss of \$72.5 million in taxable revenues, a loss of \$32 million of direct labor payroll and a loss of 1,600 direct labor jobs. He stated the impact study was based on information compiled from county offices, tax records, Register of Deeds, building permits, etc. He stated he opposes a moratorium.

5. Thomas Crowe of Tuckasee presented petitions containing approximately 300 signatures in support of a moratorium and regulations.

6. Kathy Calabrese of Whittier stated that she supports a moratorium because of the impact on natural resources, but have compassion for the people who think their jobs will be adversely impacted.

7. Berlin Middleton of Tuckasee, owner of U.S. Drilling & Blasting, stated that a development cannot be started until the Board decides what is going to happen even though money has been invested and now work cannot commence.

8. Amy Ammons Garza of Sylva, representing Catch the Spirit of Appalachia whose motto is "save the heritage of the area", stated she has spent 18 years trying to draw attention to the need of saving mountains and mountain heritage.

9. Marty Jones of Cashiers stated he opposes a moratorium and the new impact study by Dr. Garland does show there will be, and already is, an economic loss in the south end of the county. He stated he does not understand the compliance permit ordinance which appears to be a duplication of all other required permits. He stated he did appreciate the Board's work on guidelines and encouraged that erosion control, emergency vehicle ingress and egress, and steep slope safety construction be considered, but not prohibit private property rights.

10. Jeanette Evans of Cullowhee stated that the National Research Council defines the quality of life as "a balance between social, environmental and economic factors". The vote for a moratorium will be for a better quality of life for all county residents.

11. John Pavey of Sylva, attorney, stated he opposes a moratorium and one of the things that stands out is the lack of due diligence and just one inadequate economic impact study which will not hold up to judicial scrutiny. He stated there appears to be a lack of due process as required by the statutes since the documents continue to be changed. Some restrictions are needed, but there is a proper way to approach it.

12. George Rector of Cullowhee stated he supports a moratorium which directs the future growth of the county in a positive and favorable manner; growth is inevitable, but it does not have to be haphazard.

13. Manuel DeJuan stated he has already lost a contract that he had been working on for more than a year and jobs were lost because of the loss of the contract. The county needs to focus on reasonable regulations, not a moratorium.

14. Jim McCarthy stated that he is an advocate of private property rights, but the reason the government must regulate industry is because industry has not regulated itself.

15. Buddy Smith of Cashiers stated that he opposes a moratorium because working people need jobs; controls are needed that will work for everyone and can be put in place without a moratorium because it will cause the loss of people who currently have jobs and live in the county.

16. Gerlinde Lindy of Caney Fork stated she supports a moratorium and subdivision ordinance because of the unwillingness of too many developers who do not respect communities. Long-term protection of the environment as well as the economic health of the county must be considered.

17. Carol Odom of Cullowhee stated that the county can have capitalism, along with some reasonable regulations, but is opposed to a moratorium – none of the other counties needed one while considering subdivision ordinances. Jackson County is surrounded by plenty of public lands. It appears that the Board has not agreed to save the mountains, just regulate them.

18. Jim Mathews of Sylva stated that the proposed ordinances are ambiguous and a moratorium does not make any sense, and without land development and the work that ensues, the county's economy "will go down the tubes".

(1) ORDINANCE ESTABLISHING THE REQUIREMENT FOR A LAND DEVELOPMENT COMPLIANCE PERMIT (O07-02): A Public Hearing was held on February 27th. Chairman McMahan stated that the Board has the ability, after a public hearing, to amend proposed ordinances.

Linda Cable, Planning Coordinator, stated that after the public hearing her office realized the definition of "development" was too broad and ambiguous. The Land Development Compliance Permit is just a document, a clearinghouse, so that everyone will know what regulations are in place when property is developed. It also provides the county with a database of information. The form will be made available in the building inspections offices, county website, environmental health office and planning department. No permit fee is involved. The only reason one would need to complete the permit is if the property requires a permit from some other area, such as, flood plane, watershed, erosion control plan, etc, but would not be reviewed before other permits are issued.

Paragraph III A (1)-(5) of the compliance permit ordinance was revised as follows:

- "A. Development means any one or more of the following:
- (1) Any activity requiring a building permit;
 - (2) Any land-disturbing activity requiring a permit pursuant to the Jackson County Sediment Control Ordinance;
 - (3) Any development, as defined in the Jackson County Flood Damage Prevention Ordinance, proposed within a flood hazard area;
 - (4) Any activity requiring a watershed protection occupancy permit pursuant to the Jackson County Watershed Protection Ordinance;
 - (5) Any other activity regulated by the Jackson County land use ordinances, including, without limitation, the following: Industrial Development Ordinance, Mountain Ridge Protection Ordinance, Off-Premise Sign Control Ordinance, Scotts Creek Water Quality Protection Ordinance, Wireless Telecommunication Tower Construction Ordinance."

Chairman McMahan stated that his concern is that it appears to be requesting redundant information already required by other permitting regulations and understood it was an subdivision permit ordinance so that subdivisions would be developed in a reasonable manner that would protect the environment and provide safety for citizens, as well as determine how many there are in the county. He stated he agrees with the definition change and does not object to the concept of what this ordinance is attempting

to accomplish, however, if it is filled out at the same time as a building permit, but not reviewed until later, then one could be partially through the building process and not realize he/she must comply with other regulations.

Mr. Westmoreland stated that it is just a misnomer, not a permit, but just a registry whereby one office will gather data because within just the past month a subdivision was being developed, one that no one knew anything about, which did not have a permit from any office. The compliance permit is simply for the county to be made aware of development and that data from various regulatory agencies currently in existence are brought together, reviewed, checked and optimistically some of these issues will be discovered before development proceeds too far.

Motion 1: Chairman McMahan moved that the Land Development Compliance Permit be the first permit that must be obtained before other permits are issued. Commissioner Massie seconded the Motion. Commissioner Massie stated that citizens currently rely on building permits being reviewed in a reasonable amount of time, thus the planning office would need to have a maximum time limit to review permits in order for permitting being required to start in that department. Motion failed by a vote of 4 to 1 with Chairman McMahan voting “yea”.

Motion 2: Commissioner Shelton moved to adopt the amended Ordinance Establishing the Requirement for a Land Development Compliance Permit. Commissioner Jones seconded the Motion. Motion carried by a vote of 4 to 1 with Chairman McMahan voting “nay”.

(2) ORDINANCE INSTITUTING A MORATORIUM ON THE CREATION OF CERTAIN SUBDIVISIONS (O07-01): A Public Hearing was held on February 27th. Chairman McMahan stated that the Board has the ability, after a public hearing, to amend proposed ordinances. Commissioner Massie stated there have been some substantial changes to the proposed moratorium ordinance as follows:

“Findings of Fact” (italics denote changes):

D. This population increase has resulted in an explosive increase in the number of residential subdivisions. Between 2000 and 2005, nearly 5,500 new lots were created in 25 subdivisions in Jackson County. *Between January, 2005, and January, 2007, 2,369 new subdivision lots were recorded in Jackson County. The total for this two-year period represents more than fifteen percent of all the recorded subdivision lots in the history of Jackson County.* Inasmuch as Jackson County has no subdivision ordinance, these subdivisions have been created without any public review and analysis as to the adequacy of their roads and their impacts on public services and facilities and the natural environment.

H. *It is a well-known fact that applications for development authorization show a marked increase in the period of time leading up to the adoption of new legislation affecting those development authorizations as landowners and developers seek to avoid complying with the new regulations. Buncombe County, North Carolina, for instance, recently proposed enactment of an ordinance regulating development in areas with steep slopes. In the period leading up to the adoption of that ordinance, the County saw an increase of approximately 20 percent in applications for development authorizations in steep slope areas. The call for a public hearing on this moratorium was made on 5 February 2007. In the month of January, 2007, immediately prior to the call for the public hearing, Jackson County received 84 plats and lots for recordation. The average number of applications received for the four months prior to February, 2007, is 109.25. In the month of February, 2007, subsequent to the call, Jackson County received 289 such applications. This represents an increase of more than 340% over January, the most recent month prior to the call, and an increase of almost 265% over the four-month average. Each new subdivision plat recorded prior to the adoption of subdivision regulations means new lots platted and developed without any oversight as to the public health, safety, or welfare, as detailed in this ordinance.*

J. The moratorium imposed by this Ordinance will terminate 5 months from date of the adoption of the moratorium

IVThis moratorium shall continue in full force and effect for a period of 5 months from the effective date of the Ordinance unless sooner terminated by the adoption of a subdivision ordinance or other act of the Board of Commissioners.

VI(3) Any development for which substantial expenditures have already been made in good faith reliance on a prior valid administrative approval, *if such is required, resulting in detriment to the property owner.*

VI(11)*The division of a parcel of land containing no more than 25 acres and existing as of record in the Office of the Register of Deeds on the effective date of this ordinance into not more than three lots.*

VI(12) *Subdivisions for which the developer has executed a developer agreement with the county pursuant to N.C.G.S. § 153A-349.1, et seq.*

VIII (added following paragraph): *Limitations to the moratorium described in Paragraph VI above shall be determined by the Planning Director and appeals therefrom, in the same manner as set forth in Paragraph VI of the Ordinance for Establishing a process for the Establishment of Vested Rights.*

Commissioner Massie explained paragraph VI(12) as an agreement that can be voluntarily entered into between the property owner and the county for any new subdivision not currently created and allowed to continue work under a contractual obligation, meeting minimum standards agreed to by both parties.

Mr. Westmoreland stated that the purpose of the development agreement is to provide flexibility as well as provisions that seem necessary for each development. The circumstances in which the county would approach the agreement would be application of the minimum standards that are being considered in the subdivision; however, there may be certain circumstances peculiar to a particular subdivision which would allow for some negotiation and variances that would be appropriate for both parties. State statute allows for flexibility based on individual circumstances. Statutes require that the agreements be subject to a public hearing in the same manner as an ordinance and after the public hearing and comments, then the agreement would need to be ratified in the form of an ordinance and recorded in the Register of Deeds Office as a typical subdivision ordinance. In many respects, it may be more appropriate for development in the mountains than a rigid subdivision regulation which may not conform to all circumstances and conditions of the land proposed to be developed. It does allow negotiation and variances, but at the same time, the county would be looking for the same basic regulations in terms of how roads are constructed, provision for storm water issues, steep slopes, environmental issues, etc.

Chairman McMahan stated that given the fact that the county does not have a subdivision ordinance in place; it will be difficult to hold new subdivisions to minimal standards. Mr. Westmoreland stated that the Board has given general directions to the planning board in terms of basic requirements in a subdivision ordinance. The planning board has worked diligently and is very close to completing a basic subdivision ordinance and the one issue missing at this time is the steep slope aspect of the ordinance. County staff would work directly with a developer and negotiate the planning document with basic provisions in terms of principles that the Board wishes to see established in each and every agreement. The final draft document would be presented to the Board for consideration subject to a public hearing. Chairman McMahan asked what will occur after the moratorium expires and a subdivision ordinance is adopted, and the guidelines are more or less stringent than the agreement, would the developer be held to the higher standards. Mr. Westmoreland responded that statutes provide for development agreements that may be binding between the two parties up to a period of twenty years

and would continue in effect after the moratorium expires and after an ordinance is adopted. However, by mutual consent, the agreement can be modified.

Motion: Commissioner Massie moved to adopt an Ordinance Instituting a Moratorium on the Creation of Certain Subdivision with the changes as previously outlined. Commissioner Shelton seconded the Motion.

Commissioner Massie stated that action on a moratorium was not undertaken lightly and the majority of citizens agreed on several things: (1) they want citizens to continue work, (2) they want building to continue, (3) they want responsible development, but also want standards that protect the public's safety, neighbors outside the subdivisions and people that buy homes in subdivisions, and protect the county's natural environment. The public also wants adequate time for the planning board to draft thoughtful and responsible subdivision standards. Both sides of the argument have been heard, considered and the changes reflect those concerns. The three proposed additions will make it a better ordinance: (1) moratorium period reduced from 6 to 5 months;

(2) the citizens who were worried about their ability to sell a lot or two in case of an emergency or financial crisis or just wanted to sell a lot, are given an exemption to sell less than 25 acres, divide it into three lots as long as there is not a public right of way involved, i.e., a dedicated special right of way, if they already have a right of way off a state road or existing road, then they can divide the property into a maximum of three lots during the moratorium period. When the moratorium expires, then they must comply with the subdivision ordinance. (3) In addition, voluntary development agreements between the property owner and the county were included for parcels greater than 25 acres and allow new subdivisions to be built that currently have no vested, statutory or common vested rights. In essence, if someone has done nothing except purchase a parcel of land and the county is approached during the moratorium period, a development agreement can be executed that will allow work to continue. This means they can find the financing, because they know what the rules are, continue with the planning and design of the subdivision itself and hire engineers, architects, landscapers, etc., construct and build roads, and do whatever is needed under either a 5 or 20 year contract and not be concerned about the rules changing when the subdivision ordinance is considered in five months. If the property owner wants to meet higher or lower standards, whichever the ordinance states, then the developer can request the Board to amend the development agreement, but must meet minimum standards that are in the public's best interest. Consequently, the revised moratorium ordinance will basically only affect those individuals who want to develop subdivisions without any regulations whatsoever. It is a good compromise and provides the development community the ability to continue with work.

Commissioner Cowan stated that even though it has been a controversial issue, the Commissioners had not made up their respective minds prior to the public hearing because subsequent amendments have been made and no one is going to lose a job, development can continue under an agreement because it is the Board's job to balance the competing interests as best it can.

Chairman McMahan stated that there is the potential consequence that someone could lose his or her job; however, supports regulations that will protect the mountains, health and safety concerns, but the county is not in a state of emergency and should just wait for a good subdivision ordinance to be drafted. Commissioner Jones stated that the

compromises were made in good faith to keep projects going and people working. Commissioner Shelton stated that the fear generated concerning job loss and the amount of misinformation has made the entire process more difficult. The compromise for property owner/developer to enter into a contractual agreement with the county should address the issue of job loss. Further, the county is on limited time because revaluation is in two years and there is the need for advocating some tax relief for fulltime residents due to anticipated an increase in property values. The Board does not want to stop development and/or building and wants a healthy economy. The only people who will be stopped by a moratorium are those who want to continue without any regulations. The Board has worked in good faith addressing what is in the best interests of the entire county and never purposely misled anyone.

Motion carried by a vote of 4 to 1 with Chairman McMahan voting “nay”.

(3) ORDINANCE ESTABLISHING A PROCESS FOR THE ESTABLISHMENT OF VESTED RIGHTS (O07-03): A Public Hearing was held on February 27th. Chairman McMahan stated that the Board has the ability, after a public hearing, to amend proposed ordinances. The proposed vested rights ordinance was changed by adding the following which are the same definitions added to the compliance permit ordinance:

- III A. Development means any one or more of the following:
- (1) Any activity requiring a building permit;
 - (2) Any land-disturbing activity requiring a permit pursuant to the Jackson County Sediment Control Ordinance;
 - (3) Any development, as defined in the Jackson County Flood Damage Prevention Ordinance, proposed within a flood hazard area;
 - (4) Any activity requiring a watershed protection occupancy permit pursuant to the Jackson County Watershed Protection Ordinance;
 - (5) Any other activity regulated by the Jackson County land use ordinances, including, without limitation, the following: Industrial Development Ordinance, Mountain Ridge Protection Ordinance, Off-Premise Sign Control Ordinance, Scotts Creek Water Quality Protection Ordinance, Wireless Telecommunication Tower Construction Ordinance.

Motion: Chairman McMahan moved to adopt an Ordinance Establishing a Process for the Establishment of Vested Rights. Commissioner Massie seconded the Motion. Motion carried by unanimous vote.

(4) FINANCE & TAX COLLECTOR REPORTS FOR FEBRUARY 2007:

Darlene Fox, Finance Director, presented the following highlights:

<u>General Fund Revenues Collected to Date</u>	\$ 32,416,798.64
<u>General Fund Expenditures to Date</u>	\$ 28,084,637.12
<u>Ad Valorem Tax Collected</u>	\$ 20,823,225.22
<u>Motor Vehicle Tax Collected</u>	\$ 561,006.02
<u>Sales & Use Tax for December 2006</u>	\$ 862,666.20
<u>Landfill Disposal Fees</u>	\$ 1,109,986.53
<u>Contingency Balance</u>	\$ 73,192.00

Smoky Mountain Center Financial Report for the period ending 12/31/06: Ms. Fox explained that pursuant to new state regulations, Smoky Mountain Center must present financial reports to the county. The operating budget is \$16,962,404; actual revenues of \$8,436,067, expenditures of \$6,049,001 and a projected net income of \$535,000.

(5) BUDGET AMENDMENTS:

Capital Outlay NC Gov Hwy Safety Grant	\$	10,000.00
Adult Day Care	\$	23,226.00

(6) CHAIRMAN'S REPORT: Chairman McMahan reported:

(a) He attended the NaCO legislative conference earlier this week. The important issue of illegal immigration was discussed which affects all departments. He was informed that there are 500,000-projected illegal immigrants entering the country each year even though there are only 5,000 legal visas for which there is a ten year wait. The federal government has been charged with coming up with a better process.

(b) Medicaid reimbursement for local hospitals was also discussed since the definition has been changed so that Medicaid reimbursements will only be made to wholly owned government hospitals. Most of the hospitals in North Carolina are privately owned and this will have a major impact on health care facilities in the state.

(c) The BalsamWest FiberNet Celebration is scheduled on March 9, 9:45 a.m. at Harrah's Cherokee Hotel.

(7) COMMISSIONERS REPORT: Commissioner Jones stated that the Carlton Family of the Cashiers area donated \$1 million to the BalsamWest FiberNet project.

(8) COUNTY MANAGER'S REPORT: None.

(9) CRIMINAL JUSTICE PARTNERSHIP PROGRAM: Ann Melton submitted a \$53,410 grant application for approval and, due to time constraints, requested that the Board take action during this meeting. Pursuant to the request, Chairman McMahan suspended the rules and Commissioner Shelton moved to approve the application. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(10) RAIL SALVAGE BIDS: Mr. Westmoreland reported that six bids for the steel rails at the abandoned rail siding at the Transfer Station were received. Even though there were two identical bids, he recommended that the bid be awarded to DeSota Trail at \$125/ton. DeSota Trail is the county's metal recycling contractor. Chairman McMahan suspended the rules and Commissioner Cowan moved to award the bid to DeSota Trail. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(11) PROPOSED SOLID WASTE ORDINANCE AMENDMENTS: Darrell Fox, Chairman of the Solid Waste Board, stated that the Solid Waste Board has been working on an amended ordinance that will be fair and has as little impact as possible.

Chad Parker, Solid Waste Director, gave a brief statistical overview of the changes in his department. He stated that due to new regulations the old landfill was closed in 2001. In 1997, the county changed from 24 box locations to 8 manned staffed recycling centers. From 1997 to 2003, municipal solid waste was hauled to Macon County's landfill. The C&D Transfer Station was opened in 2001 and the building was primarily designed to handle C&D waste only. In 2003, the agreement with Macon County was terminated and the Transfer Station began handling all solid waste at a big cost savings. In August 2004, the average waste taken at the Transfer Station was 106 tons per day; 2005, 130 tons per day; 2006, 159 tons per day; and the projection for 2007,

will be 195 tons per day. The current building was designed to handle 60 tons per day. In 2003, the county stopped using Webster Enterprises for recycling and recyclables are now loaded from the Transfer Station after hours and hauled to Greenville, South Carolina. A new building is needed so that the existing building can be used for recycling during regular business hours.

The proposed amendments to the Solid Waste Ordinance reflect a combination of the Landfill Fee Ordinance and Solid Waste Ordinance. The amendments include changes to the By-Laws and word definitions, in addition to the following:

Article IV, Section 400 paragraphs A, B; Section 401 paragraphs E, F, G;

Article IV, Section 402 paragraphs D, E (strengthens the penalty for falsifying the type of waste or origin of waste);

Article V, Section 500 paragraphs C, D, E (any white good containing chlorofluorocarbons must be deposited directly to the Cashiers or Jackson County Transfer Stations and not the SRC's), F (commercial recycling will only be allowed at designated solid waste facilities);

Article VI, Section 600 paragraphs B, C, D (requires proof of proper garbage disposal);

Article VII in its entirety;

Article X, Section 1002, and Attachments I, II, III in their entirety.

It was suggested that all regulations pertaining and reference to "private haulers" be moved to Section 402. Mr. Westmoreland stated that there will be one other addition which is the establishment of tipping fees for the Cashiers Transfer Station which will be based on the actual cost of operations and that fee schedule will be included in the proposed amendments. The tipping fees for Cashiers Transfer Station will not be the same as the Mineral Springs Transfer Station because of the hauling distance.

A public hearing concerning the proposed amendments was scheduled on April 2, 2007 at 5:00 pm.

(12) **ENVIRONMENTAL HEALTH PERMIT FEES**: Paula Carden, Health Department Director, stated that permit fees have not been raised since 1995 even though costs are continually rising. The recommended fee increase for single-family dwellings is \$80 per bedroom. New permit fees include tattoo artists, annual inspections for swimming pools, spas, food stands, mobile pushcarts, temporary food stands, mass gatherings, and large maintenance. The proposed fees are comparable with those in other counties. She stated there are 11.5 sanitarians on staff; however, there is a waiting period of six - seven weeks for septic permits. She will submit a revised fee schedule for the next Board meeting and requested that the new permit fees be effective as of April 15, 2007.

(13) **WHITTIER SANITARY DISTRICT RESOLUTION**: Carry over.

(14) EQUALIZATION & REVIEW BOARD APPOINTMENTS: Bob McMahan, Tax Administrator, submitted the names of George Stanley, Rogers Shelton, Richard Wilson, Richard Robson and Gail Cooper for reappointment to the Equalization & Review Board and all have agreed to continue to serve if reappointed. Chairman McMahan suspended the rules and Commissioner Massie moved to reappoint George Stanley, Rogers Shelton, Richard Wilson, Richard Robson and Gail Cooper for a one-year term on the Equalization & Review Board. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(15) COUNCIL ON AGING APPOINTMENT: Russ Bauer has agreed to continue to serve if reappointed. McMahan suspended the rules and Commissioner Cowan moved to reappoint Russ Bauer for a 3-year term on the Council on Aging. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(16) CRIMINAL JUSTICE PARTNERSHIP BOARD APPOINTMENTS: Ann Melton, Clerk of Court, by letter submitted the names of Tom Hughes, Graham Duls, Kim Poteet, and Andrew Norton for appointment to the CJPP Board along with the re-appointment of Judge Brad Letts, Alan Painter and Brenda Dillard. Chairman McMahan suspended the rules and Commissioner Cowan moved to appoint Tom Hughes, Graham Duls, Kim Poteet, Andrew Norton, Judge Brad Letts, Alan Painter and Brenda Dillard. Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.

(17) VESTED RIGHTS ADVISORY COMMITTEE: Chairman McMahan suspended the rules and Commissioner Massie moved to appoint Joel Johnson, Surveyor, J. K. Coward, Jr., Attorney, and Dr. Ralph Triplette, retired professor emeritus in land planning and geography at WCU, as members of the Vested Rights Advisory Committee. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

There being no further business, Commissioner Shelton moved that the meeting be adjourned. Commissioner Jones seconded the Motion. Motion carried and the meeting adjourned at 9:15 p.m.

Attested By:

Evelyn B. Baker, Clerk

Approved:

Brian Thomas McMahan, Chairman

