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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
DECEMBER 3, 2007**

The Jackson County Board of Commissioners met in Regular Session on December 3, 2007, at 6:00 p.m., 401 Grindstaff Cove Road, Room A201, 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 Evelyn B. Baker, Clerk to the Board	Absent: W. Paul Holt, Jr., County Attorney
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Chairman McMahan called the meeting to order.

AGENDA: Chairman McMahan amended the Agenda by adding Wilkes Crescent Dr. Property. Commissioner Massie moved to approve the amended Agenda. Commissioner Jones seconded the Motion. Motion carried.

MINUTES: Commissioner Cowan moved to approve the Minutes of the Regular Meeting of November 19, 2007 and Reconvened Meeting of November 27, 2007. Commissioner Shelton seconded the Motion. Motion carried.

INFORMAL COMMENTS BY THE PUBLIC:

- (a) Thomas Crowe, representing the United Neighbors of Tuckaseegee, stated that on November 6, 2007, DEHNR denied a mining permit to Carolina Boulder & Stone. He thanked the Board for its support of the community on this issue.
- (b) Cherrie' Moses stated that the Industrial Development Ordinance is one of several important steps needed for the preservation of the mountain environment, culture and heritage. She recommended that a Historic Preservation Ordinance be considered.
- (c) Mark Jamison urged the Board, through the NCACC, League of Municipalities, local representatives, to lobby the legislature for reconciliation of state and local land use regulations; better communication is needed between the state and county.

Chairman McMahan moved that the Board go into closed session pursuant to G. S. 143-318.(a)(3) Legal. Commissioner Shelton seconded the Motion. Motion carried.

Chairman McMahan called the open session back to order and reported no action or votes were taken in closed session.

(1) CHAIRMAN'S REPORT: Chairman McMahan reminded the Board of the following:

- (a) Employees Awards Luncheon is December 10, 12 noon at WCU
- (b) TWSA Annual Meeting is December 11, 5:30 pm.
- (c) Public Hearing concerning a proposed Animal Control Ordinance is December 17, 5:00 pm followed by a regular meeting on December 17.

(2) COMMISSIONERS REPORTS: Commissioner Massie thanked the grounds department for the outstanding Christmas decorations at the Historic Courthouse.

Commissioner Shelton reported that he serves on the Mountain Landscapes Initiative Steering Committee which is a 7-county Region A effort to develop a "tool box" for local governments to use in growth issues, i.e., transportation, land use, impacts, etc.

(3) COUNTY MANAGER'S REPORT: None.

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

Darlene Fox, Finance Director, presented the following highlights:

General Fund Revenues Collected to Date	\$ 19,054,952.00
General Fund Expenditures to Date	\$ 19,389,963.00
Ad Valorem Tax Collected	\$ 12,016,104.00
Motor Vehicle Tax Collected	\$ 391,467.00
Prior Year Tax Collected	\$ 306,078.00
Sales & Use Tax for September 2007	\$ 1,052,572.00
Landfill Disposal Fees	\$ 826,471.00
Contingency Balance	\$ 6,147.32

She stated that for the first four months of this fiscal year fuel costs are at 47% of the budget. Effective January 1, 2008, IRS will raise its standard mileage rate to \$0.505.

(5) BUDGET AMENDMENTS:

DSS/Health Dept.	\$ 43,716.82
Courthouse Security System	\$ 15,878.00

(6) CAPITAL PROJECT ORDINANCES: The following Capital Project Ordinances were presented:

- (a) Cashiers Rec Site Work \$ 2,739,097.00
- (b) Fairview Kindergarten \$ 3,263,403.00
- (c) Webster Complex \$ 3,902,500.00

Chairman McMahan suspended the rules and Commissioner Cowan moved to approve the November 2007 Finance & Tax Collector Reports, Budget Amendments and adopt the Capital Project Ordinances. Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.

(7) AUDIT REPORT FOR FY2006-07: Chairman McMahan suspended the rules and Commissioner Shelton moved to approve the audit report. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(8) TOWN OF SYLVA INTER-LOCAL AGREEMENT: Carry over.

(9) SMOKY MOUNTAIN CENTER REPORT: Shelly Lackey, Community Relations Coordinator, stated that the legislature has allocated funds for four pilot inpatient programs throughout the state. SMC is the recipient of one of those programs.

Doug Trantham, Services Management Director, reported that SMC's pilot program will reduce state hospitalization by implementation of the following: (a) opening a 16-bed adult unit at Haywood Regional Medical Center in Waynesville and a 10-bed unit at Cannon Memorial Hospital in Newland; (b) community based emergency services; (c) child crisis bed program; (d) specialized geriatric residential program; (e) on site state hospital liaison; (f) improve care management. The pilot program will provide inpatient services close to home and family, reduce wait times, inpatient disposition, and assist children in crisis and older adults with psychiatric issues. The annual cost savings for the state would be \$558,124.

(10) WEBSTER COMPLEX: Mr. Westmoreland reported that six bids were received. WNC Paving, Inc. was the low bidder; however, the company discovered it does not have the appropriate licensure for a portion of the work and withdrew its bid. He recommended that the construction contract be awarded to the lowest responsible bidder, Phillips & Jordan, Inc. in the base bid amount of \$2,766,000. Chairman McMahan suspended the rules and Commissioner Massie moved to award the bid to Phillips & Jordan, Inc. in the base bid amount of \$2,766,000. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(11) SOUTHERN SOFTWARE, INC. CONTRACT: The contract is a sole source for a computer aided dispatch system to integrate with existing Sheriff and Jail software. Payment would be through 911 funds. Chairman McMahan suspended the rules and Commissioner Massie moved to approve the contract with Southern Software, Inc. in the amount of \$192,873. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(12) WILKES CRESCENT DR. PROPERTY: Interest has been expressed in two county owned parcels (approximately 3.7 acres) located near Haywood St./Wilkes Crescent Dr. Chairman McMahan moved to authorize the County Manager to obtain an appraisal of the property. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(13) COMMUNITY TRANSPORTATION PROGRAM RESOLUTION (R07-24): A Public Hearing was held on December 3, 2007 at 5:45 p.m. No public comments were made. Chuck Norris, Transit Director, submitted documentation reflecting that the grant application is applied for each year and provides substantial administrative and capital assistance to the county's transportation program. The local match is \$31,108. Chairman McMahan suspended the rules and Commissioner Massie moved to adopt the Resolution. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(14) DECLARATION OF INTENT TO REIMBURSE RESOLUTION (R07-25, Webster Complex Site Work): The Resolution states that the county intends to reimburse itself with the proceeds of the loan for any expenditures incurred prior to the issuance of a loan for Webster Complex Site Work. Chairman McMahan suspended the rules and Commissioner Cowan moved to adopt the Resolution. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(15) DECLARATION OF INTENT TO REIMBURSE RESOLUTION (R07-26, Fairview Kindergarten): The Resolution states that the county intends to reimburse itself with the proceeds of the loan for any expenditures incurred prior to the issuance of a loan for a new Fairview Kindergarten facility. Chairman McMahan suspended the rules and Commissioner Cowan moved to adopt the Resolution. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(16) DECLARATION OF INTENT TO REIMBURSE RESOLUTION (R07-27, Cashiers Recreation Center Site Work): The Resolution states that the county intends to reimburse itself with the proceeds of the loan for any expenditures incurred prior to the issuance of a loan for Cashiers Recreation Center Site Work. Chairman McMahan suspended the rules and Commissioner Cowan moved to adopt the Resolution. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(17) WCU OFF CAMPUS TRANSPORTATION RESOLUTION (R07-28): The Resolution is a request that DOT assist in the funding of an off campus transportation service for WCU. WCU has provided 15% of all administrative costs and 10% of all capital costs. Chuck Norris, Transit Director, stated that at the end of the 2-year pilot program, WCU must determine if it wants to pay for continuing the service. Through the month of October, transit is averaging about 50 trips per day; however, the anticipated figure was 100 trips per day. Chairman McMahan suspended the rules and Commissioner Massie moved to adopt the Resolution. Commissioner Shelton seconded the Motion. Motion carried by unanimous vote.

(18) TUCKASEIGEE WATER & SEWER AUTHORITY APPOINTMENT: Chairman McMahan suspended the rules and Commissioner Massie moved to reappoint Brian McMahan to a 3-year term on the Tuckaseegee Water & Sewer Authority. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

(19) GREENWAYS COMMISSION APPOINTMENT: Chairman McMahan suspended the rules and Commissioner Shelton moved to reappoint Jimmi Buell to a 3-year term on the Greenways Commission. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.

(20) 441 CORRIDOR STEERING COMMITTEE APPOINTMENT: Commissioner Shelton moved to appoint Jim Mills as an alternate to the 441 Corridor Steering Committee. Commissioner Massie seconded the Motion. Motion carried by unanimous vote.

(21) AIRPORT AUTHORITY APPOINTMENTS: Carry over.

(22) CASHIERS PLANNING COUNCIL APPOINTMENT: Carry over.

(23) EDC APPOINTMENT: Patrick Holleman submitted a letter of resignation from the EDC Board. Chairman McMahan suspended the rules and Commissioner Massie moved to appoint Joe Cline to fill the unexpired term of Patrick Holleman on the EDC Board. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.

Chairman McMahan moved that the Board go into closed session pursuant to G. S.143-318.11(a)(5) Real Property (Slab Town Rd., Cashiers). Commissioner Shelton seconded the Motion. Motion carried.

Chairman McMahan called the open session back to order and reported no action or votes were taken in closed session.

There being no further business, Commissioner Cowan moved to adjourn the meeting. Commissioner Shelton seconded the Motion. Motion carried and the meeting adjourned at 8:30 p.m.

Attest:

Evelyn B. Baker, Clerk

Approved:

Brian Thomas McMahan, Chairman