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Time Posted: \_\_\_\_\_  
Posted By: Pat Parris  
Witnessed By: \_\_\_\_\_

**MINUTES OF A  
REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
May 21, 2012**

The Jackson County Board of Commissioners met in a Regular Session on May 21, 2012, 6:00 pm, Balsam-Willets-Ochre Hill Fire Dept., 36 Mount Pleasant Church Rd., Sylva, North Carolina.

Present: Jack Debnam, Chairman  
Doug Cody, Vice Chair  
Mark Jones, Commissioner  
Charles Elders, Commissioner  
Joe Cowan, Commissioner

Chuck Wooten, County Manager  
J. K. Coward, Jr., Co. Attorney  
Pat Parris, Clerk to Board

Chairman Debnam called the meeting to order.

**AGENDA:** Chairman Debnam amended the Agenda by adding Designation of ABC Permit Official Resolution. Commissioner Elders 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 May 7, 2012. Commissioner Cowan seconded the Motion. Motion carried.

**(1) COUNTY MANAGER REPORT:** Mr. Wooten reported:

**(a) North Carolina General Assembly Short Session:** The 2012 General Assembly Short Session reconvened on May 16<sup>th</sup> and will be considering some local bills. Pursuant to the Board's request, Representative Haire will be introducing an amendment to delay the effective date of the occupancy tax bill until January 1, 2013.

**(b) Items of Interest for Counties in the 2012 Short Session:** (1) S433 is a bill to grant permission for counties to consolidate human services administration. This is a carry-over bill that would allow all the counties the opportunity to reorganize social services and health administration to streamline county administrative costs while providing more coordinated services. State dollars fund less than 3% of administrative costs for these agencies. All counties are being asked to adopt a resolution to reflect support for this bill. There is a great deal of opposition from health and social service directors and their employees as they are concerned about protecting their current employment structure and status. (2) Many counties have inquired about legislation to authorize counties to charge privilege license fees to sweepstakes machines (video internet gambling) similar to what is currently available to municipalities. It appears this issue will not be raised during the short session. (3) A bill to provide guidance to the controversial issue of "fracking" was filed in the Senate that would establish a moratorium on gas exploration until July 1, 2014. The NCACC will continue communication with members of the General Assembly to seek the opportunity for county input before a final bill is adopted.

**(c) Governor Perdue's 2012-13 Budget Proposal:** Governor Perdue has submitted her budget proposal to the General Assembly and it proposes more lottery dollars for county school construction, provides more funding for mental health, does not propose to shift state expenses to counties, and proposes no cuts to county budgets. The Governor recommended a 1.8% salary increase for teachers and state employees and a 1.9% increase for state and teacher retirees.

**(d) County Assembly Day and Legislative Reception:** The NCACC is hosting its annual County Assembly day on May 30<sup>th</sup>. This is an opportunity for County Commissioners to go to Raleigh and hear reports about legislative priorities and speak with local delegations. Registration closes on May 25<sup>th</sup>.

**(e) County Health Plan:** Wellness screenings are scheduled on June 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, and 14<sup>th</sup> at the Community Services Center. MedWest-Harris has been contracted to perform all lab tests for the screenings.

**(d) Work Session:** A budget work session will be held at 9:00 am on June 4<sup>th</sup> in Room A227

**(2) CONSENT AGENDA:** Darlene Fox, Finance Director, presented Finance, Tax Collector and Refund Reports, Travel & Tourism report for April 2012 and Smoky Mountain Center quarterly report. Tax refunds in the total amount of \$1,529.95 were made during April.

**Motion:** *Commissioner Cowan moved to approve the Consent Agenda. Commissioner Jones seconded the motion. Motion carried by unanimous vote.*

**(3) FIRE DEPTS. – RADIO EQUIPMENT:** Mr. Wooten stated the Federal Communications Commission has made changes to the radio spectrum/airwaves effective January 1, 2013. As a result, the current fire/rescue paging systems will become virtually useless. Balsam VFD served as the host department and secured a grant on behalf of the county's seven fire departments and the Glenville-Cashiers Rescue Squad. The grant requires a 10% local match. The cost of the equipment is \$490,886.86 (\$441,798.17 grant and \$49,088.69 matching funds). The total purchase price includes state sales tax in the amount of \$29,395.66 which can be refunded to the fire department as a non-profit organization and would then be paid to the county thus reducing local funding to \$19,693.03.

**Motion:** *Commissioner Cody moved to appropriate a local match in the amount of \$49,088.69 from the Contingency Fund with the caveat that upon the receipt of the sales tax by the fire department, those funds will immediately be paid to the county. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

**(4) ALLISON OUTDOOR ADVERTISING:** Mr. Wooten stated the proposed lease is for two billboards located on the Emergency Management property located on Hwy. 441S at a rental of \$2,200.00 per year for a term of 5 years and subject to the following restriction:

“At times when the billboards are vacant, the County may advertise at Allison’s actual cost of materials. Allison shall not allow third parties to use the billboards for political advertisement or issues, or for promotion of subjects which are politically sensitive, or which might tend to imply the County of Jackson has taken a position in regards to a particular political matter, and either party may terminate the lease with a six months written notice.”

**Motion:** *Commissioner Elders move to approve the Lease. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.*

**(5) CASHIERS RECREATION CENTER:** Mr. Wooten stated that with the consensus of the Board, he notified Dan Duckham, Architect, that signage at the recreation center in Cashiers should reflect: “Cashiers-Glenville Recreation Center”.

**(6) ABC PERMITTING:** Mr. Coward presented the regulations governing ABC permitting. The ABC Commission has the sole authority to issue ABC permits. The county is responsible for inspections and suitability of the location. The county does have the authority to set up another ABC Board consisting of 3-5 members appointed by the Board of Commissioners, or merge with the Sylva ABC Board. If the county and town choose to merge, the current board would be replaced by one board appointed jointly by each entity. Additional ABC stores may be operated with the approval of the ABC Commission.

**(7) DESIGNATION OF ABC PERMIT OFFICIAL RESOLUTION (R12-12):** Mr. Coward recommended that Sheriff Jimmy Ashe be designated as the ABC Permit Official.

***Motion:** Commissioner Jones moved to designate Sheriff Jimmy Ashe as the ABC Permit Official. Commissioner Cowan seconded the Motion. Motion carried by unanimous vote.*

**(8) FY2012-13 PROPOSED BUDGET:** Mr. Wooten presented the proposed FY2012-13 Budget. The budget is balanced without any modification to the current ad valorem tax rate of \$0.28. A slight increase is proposed in revenue from taxes resulting from normal growth within the real property tax base (\$45,139,370) and a collection rate of 95.29% which is based on the actual collection rate for the previous year.

(a) **Schools**: Funding is included to cover the debt service for the projected construction costs of new facilities at Smoky Mountain High School and Blue Ridge School. Under the proposal, the estimated \$11.3 million construction costs would be covered by a bank loan and accumulated cash balances will pay for project soft costs such as architectural fees, testing fees, movable equipment, and contingency. Sales tax revenue earmarked for school capital construction will be utilized for this project and no general fund dollars are required. Operating funds for the Jackson County Schools would remain at the same level as approved in FY11-12.

(b) **Southwestern Community College**: Additional funding for operating costs associated with the new Burrell Building in the amount of \$149,960 is proposed. These funds were committed by the Board of Commissioners in 2007 when approval was granted to construct the building. Capital funding in the amount of \$97,000 is proposed, but does not include the \$580,000 requested in matching funds.

(c) **Library**: Increased funding for the Fontana Regional Library is recommended at 3.4% which is equal to the CPI for the past 12 months. This proposal is below the amount requested; however, the single largest increase in the budget request is to create a new position for the purpose of training prior to the retirement of an employee. Fontana should be able to reallocate existing funds on a time limited basis to eliminate the need for an increased allocation of funds from the County for this purpose.

(d) **New Position**: A request to establish a Director of Human Resources is included in the budget. An employer with 375 full time employees needs a professional to ensure that policies are up to date, department heads are adequately trained in personnel administration, employees have a resource to assist with difficult situations, and that a reasonable position classification and pay plan is established and maintained.

**(9) FY2012-13 PROPOSED BUDGET PUBLIC HEARING:** A public hearing was scheduled on June 4, 2012 at 1:30 p.m.

**(10) DOT - NC107 R-4745 RESOLUTION:** The Resolution is in opposition of the inclusion of R-4745 in the NCDOT State Transportation Improvement Program and recommends that NCDOT remove it from consideration for funding.

*Resolution was not considered due to lack of a Motion.*

**(11) U. S. CONSTITUTION AMENDMENT RESOLUTION:** Several citizens requested that a Resolution be adopted requesting the North Carolina General Assembly to petition Congress to amend the U.S. Constitution by firmly establishing that money is not speech, and that human beings, not corporations, are persons entitled to constitutionally protected political speech.

***Motion:*** *Commissioner Cowan moved to adopt the Resolution, Commissioner Jones, seconded the Motion. Motion failed by a vote of 3-2 with Chairman Debnam, Commissioners Cody and Elders voting “nay”.*

**(12) AGRICULTURAL ADVISORY BOARD:**

***Motion:*** *Commissioner Jones moved to reappoint Bentley Robison, Kent Cochran and Chet Stephens to the Agricultural Advisory Board for 3-year terms. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

#### **Informal Comments by Public**

- (a) Avram Friedman of Dillsboro expressed his disappointment that the resolution to amend the constitution was not approved.
- (b) Lucy Christopher of Cashiers expressed her disappointment of the resolution not passing.
- (c) Geraldine Collins of Sylva stated she was very disappointed that the resolution was not accepted in Jackson County.
- (d) James Nowack of Sylva stated there are hard working people in western North Carolina and urged the Board to reconsider the resolution.
- (e) Jim Mueller of Glenville thanked the Board for allowing the people of Jackson County to choose how to handle the alcohol issue
- (f) T.J. Walker of Dillsboro, owner of the Dillsboro Inn and member of the Merchants Association, expressed his concern about the manner in which Jackson County Travel & Tourism has chosen to promote Jackson County and a high tech program should be in place.
- (g) Sherry Dukes of Marble N.C. representing “Blue Ridge Highlander.com” expressed an interest in promoting Jackson County through their services.

#### **Press Conference**

There being no further business, Commissioner Cowan moved to adjourn the meeting. Commissioner Jones seconded the Motion. Motion carried and the meeting adjourned at 7:20 p.m.

Attest:

Approved:

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Patsy C. Parris, Clerk to Board

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W. J. Debnam, Chairman

