

**MINUTES OF A
WORK SESSION
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
SEPTEMBER 16, 2013**

The Jackson County Board of Commissioners met in a Work Session on September 19, 2013, 2:00 p.m., Justice & Administration Building, 401 Grindstaff Cove Rd., Room A227, Sylva, North Carolina.

Present: Jack Debnam, Chairman
Doug Cody, Vice Chair
Charles Elders, Commissioner
Mark Jones, Commissioner
Vicki Greene, Commissioner

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

Chairman Debnam called the work session to order.

(1) **HEALTH DEPT. UPDATE**: Paula Carden, Health Director, presented two programs that were recently approved for state funding:

(a) **“Adolescent Pregnancy Prevention”** provides for 1.5 fulltime employees who will offer health and reproductive health in the schools and community. The funding is for a period of four years and then another application will be required; however, funding has been available for the past 20 years. The funding begins October 1st to teach Smart Girls/Wise Guys in the schools.

(b) **“Active Routes to School”** provides for one full time position. This employee will coordinate with CTG or MountainWise to work on regional healthy and active routes to schools in rural areas. This funding also begins on October 1st.

(2) **INTERNET DEMAND SURVEY**: Keith Conover, Technical Assistance Director, Western Region, NC Department of Commerce, Broadband Division, presented a map with the results of a countywide survey: 201 responded, mostly residential, that they are interested in a change of either getting service or better service than they now have.

Consensus: *Meet with local providers to share information and see if they are interested in extending service to the underserved and unserved areas.*

(3) **GREEN ENERGY PARK FIVE-YEAR PLAN**: Timm Muth, Director, presented a five year plan for the park:

(a) **Objectives**: To successfully complete its mission, GEP needs to meet the following objectives:

Non-Profit: Establish a functional non-profit 501c3 “Friends of Green Energy Park” (FOGEP) providing guidance and raising funds.

Funding: Obtain capital funding to complete Artisans Complex and needed upgrades.

Establish/generate operation funding of at least \$250k per year for operations and staffing.

Rental Income: Hot shops, studio spaces, and other facilities fully utilized, encouraging private sector job creation, and generating rental income from resident artists, regional and visiting artists, and local schools (schools renting studio space for curriculum level classes and continuing education).

Facilities: Greenhouse facilities renovated and available for a range of uses by County grounds department. The remaining elements of the Master Plan and Artisans Complex include:

- Ceramics facility
- Education center and gallery
- Office space and reception area
- Signage for buildings and walking routes
- Rental studios (14)
- Restrooms
- Landscaping and paving

Staffing: Adequate staffing (both paid and volunteers) for daily operations and special events to include:

- Director/Technical Manager
- Marketing Manager
- Administrative Assistance
- Volunteer Coordinator and volunteers

Marketing: GEP well recognized locally, regionally, nationally and internationally,

Programming: Expand class offerings, educational tours, workshops, demonstrations, and community festivals and events.

(b) Estimate of Construction Costs on March 16, 2010

	Estimated Costs
PHASE 1A- 6 Large Studio Spaces	\$108,350
Lounge	37,910
Mechanical Room	7,200
Exterior Spaces	6,540
Furnishings, Fixtures, Equipment	2,230
Subtotal	\$162,230
PHASE 1B - 4 Studio spaces	\$ 50,540
PHASE 1C- 4 Studio spaces	\$ 50,850
Education Courtyard	3,196
Subtotal	54,046
TOTAL: PHASE 1	\$266,726
PHASE 2 – Pottery Studio	\$158,325
Kiln Area	30,200
Entry Courtyard	6,435
Furnishings, Fixtures,, Equipment	10,555
TOTAL PHASE 2	\$205,515
PHASE 3 Gallery/ Offices/ Education	\$289,680
Education Courtyard	7,347
Furnishings, Fixtures, Equipment	51,120
TOTAL PHASE 3	\$348,147
Total Construction Cost Estimate	\$820,387
A/E Design fee	\$ 41,019
Estimated Grand Total	\$861,406

(c) Capital Funding:

		County	Friends of GEP (fundraising, Donations)	GEP (Grants)	Total
Year 1	FY2013-14	\$ 100k	-0-	\$ 10k	\$ 110k
Year 2	FY2014-15 (Artisans Complex construction begins)	\$ 450k	-0-	-0-	\$ 450k
Year 3	FY2015-16	-0-	\$ 100k	\$ 350k	\$ 450k
Year 4	FY2015-17 (Artisans Complex completed)	-0-	\$ 10k	\$ 20k	\$ 30k
Year 5	FY2017-18	-0-	\$ 10k	\$ 20k	\$ 30k

All estimated costs, income streams and other figures are predicated on completion of the Master Plan and construction of the Artisans Complex.

FY2013-14: County commit to \$100k for needed capital improvements. GEP commits to raising an additional \$10k through grant appropriations. Capital improvements include:

- Renovate and expand roof over existing covered outdoor area..... \$48k
- Construct/install waste vegetable oil burner system for outdoor pottery kiln..... \$10k
- Renovate Greenhouses with new plastic walls, fans, and controls..... \$12k
- Divide existing blacksmith area to create frameworking/multi-purpose space....\$10k
- Construct front-loading annealer for glass shop..... \$ 7k
- Purchase new storage shed for special event chairs, tables, and supplies..... \$ 3k
- Construct storage shed and bathroom adjacent to outdoor pottery kiln.....\$20k

FY2014-15: County budget half the capital funds needed, approximately \$450k, to construct the planned Artisans Complex. These funds would be placed in the Green Energy Park Enterprise Fund and used as matching funds for outside grants. Actual use of these funds could be spread out over Years 2, 3 and 4 though the total amount should be firmly committed at the beginning to maximize leverage as matching funds.

FY2015-16: FOGEP and GEP would raise the remaining \$450k needed to fund the Artisans Complex through grants and donations by the end of the fiscal year.

(d) Operating Funding:

	County	Friends of GEP (fund raising, donations)	GEP (grants)	GEP (rents)	GEP (classes, sales, events, fees)	Total
FY2013-14	\$136k	\$10k	-0-	\$ 9k	\$2.5k	\$157,500
FY2014-15	\$250k	\$20k	\$20k	\$ 15k	\$4k	\$309,000
FY2015-16	\$275k	\$30k	\$20k	\$ 30k	\$8k	\$363,000
FY2016-17	\$250k	\$30k	\$20k	\$ 75k	\$15k	\$390,000
FY2017-18	\$200k	\$30k	\$20k	\$100k	\$15k	\$365,000

FY2013-14: County commits to continuing current funding levels. This base funding ensures the successful operation of the GEP at current levels.

FY2014-15: County increases funding level to \$250k. This budget increase would provide funds for hiring a full-time Program Manager. The Program Manager would be responsible for expanding GEP marketing efforts, developing class curriculum and schedules, coordinating efforts with WCU, managing artists and interns and overseeing the annual events.

FY2015-16: County increases funding level to \$275k. Increased funding would allow for a full-time administrative assistant. A portion of funding for this position would be provided through increased internal GEP income.

FY2016-17: County decreases funding level to \$250k. During this period, Artisans Complex will be completed and become operational. Operational funding from the County could actually decrease for this period since the GEP would be capable of generating significantly more income internally.

FY2017-18: County decreases funding level to \$200k. With completion of the Artisans Complex and Master Plan, the GEP should be capable of generating at least \$115k per year internally.

The Green Energy Park is a unique facility and represents a unique opportunity for Jackson County. Completion of the Artisans Complex and rental studios will allow for the creation of an “artist community” at the park. The economic impact of a thriving art community within the County cannot be overstated – it will bring new visitors to the area, encourage further economic development and provide an extremely effective angle to attract tourists.

(4) DISTRICT VOTING DISCUSSION: Mr. Coward stated he was requested to research the idea of nominating and voting in a district rather than nominating from a district and voting county-wide, like the County does now. If the County adopts that method under G.S. 153A-58(3)b in a duly called referendum, the effect is that the qualified voters of each district "nominate candidates and elect members (of the County Commission) who reside in the district."

However, there can be no effective change for 2014. G.S. 153A-62 provides that "any approved alteration shall be the basis for nominating and electing the members of the board of commissioners at the first succeeding primary and general election for county offices held after approval of the alteration..." Under this statute the referendum could be placed on the ballot in 2014, but the modification, if it passed, would not take effect until 2016.

The question has been raised: Can the County call a special election and place this issue on the ballot for a referendum, and - if it passes - have the modification in place for the 2014 elections? The answer is “No, with an exception.” G. S. 153A-60(4) provides that a referendum may be held "...at the same time as any other state, county or municipal primary election, special election or referendum..." This means the County is not authorized to call a special election for just this issue, but must couple it with some other election. The School of Government manual states County officials sometimes want to have a “special referendum” or “straw vote” on a controversial issue. Generally speaking, they may not. Only elections specifically authorized by state statute or by local act of the General Assembly may be held. Justice Sam Ervin of the North Carolina Supreme Court stated in *Tucker v. A.B.C. Board*: "There is no inherent power in any government body to hold an election for any purpose. In consequence, an election held without affirmative constitutional or statutory authority is a nullity, no matter how fairly and honestly it may be conducted."

Short of a local act of the General Assembly authorizing a special election, (that is the exception), this matter may not be voted on until 2014 at the same time as the other elections, and even if the County does that - and the issue passes - it will not have any practical effect until the next "succeeding primary and general election" after the alteration, which is in 2016.

Chairman Debnam stated the issue should be placed on a ballot for local citizens to decide.

Commissioner Greene stated she serves all citizens and the only fair way is to put it on a ballot for citizens to decide.

Commissioner Jones stated that this type of voting is most successful in high population areas.

Commissioner Cody stated that the Board cannot go wrong by allowing the people decide how they want their government to work.

Commissioner Elders stated that he hears frequently that people in each district should have the right to elect their representative, but he serves all citizens and the issue should be decided by the voters of local citizens.

Lisa Lovedahl, Elections Director, stated there are 20 counties in the state that have a countywide combination “Chairman/Commissioner” voting system like Jackson County.

Consensus: *Continue discussion.*

(5) VOTING REGULATIONS – RECENT CHANGES: Lisa Lovedahl, Director, gave an overview of the recent changes in voting regulations:

(a) Photo ID:

- In addition to stating voter name and address, a voter must present a photo ID. For the 2014 election, a voter who does not show an ID must sign an acknowledgement that they will be required to show an ID in 2016 in order to vote.
- Acceptable valid photo IDs include NC Driver's License, NC Special ID -voters may receive free IDs in 2014 if they meet service requirements and sign an affidavit, US Passport, US Military Veterans ID, Tribal Enrollment, driver's license from another state if new registration was within 90 days.
- Exceptions: Voters over 70 years of age may use expired driver's licenses.
Curbside voters may use HAVA ID (no photo needed).
Religious objection.
Natural disasters.
- Reasonable Resemblance Determination: If election officials determine that the voter's photo ID does not bear reasonable resemblance, then the three Judges present at the polling place at One Stop and on Election Day would be required to rule on the matter in order for the voter to vote.
- Provisional ballots will be used for those without property ID.

(b) Absentee Voting: Voters who vote by mail are not required to show a photo ID. However, in addition to current requirements, voters must have the signature of two witnesses, provide a NC driver license number, Special ID number, or the last four digits of their social security number on the envelope.

(c) Assistance for Voters who are Patients: Multi-partisan teams will be formed to assist. County will be responsible for costs.

(d) Poll Observers: In addition to current allowance, parties may have up to ten additional observers who may roam from polling place to polling place and one may be in the voting enclosure.

(e) Challenges: Challenges to a voter's right to vote may be challenged by any registered voter in the county, not just a registered voter in the same precinct.

(f) One Stop Voting Dates: The early voting period will be from the third Thursday to the second Thursday before Election Day and must end at 1:00 pm the Saturday before Election Day. All additional sites (office site is not affected) within the county must have the same days and hours.

(g) Voting Machines: All systems must generate an individual paper ballot marked by the voter by January 1, 2018.

- Jackson County's voting system does not comply.
- Estimated cost to county is \$500,000 - \$1,000,000
- Additional staff, storage and security will also be needed

(h) Presidential Primary: If South Carolina holds its presidential primary before the 15th day of March, then North Carolina will hold its presidential primary the Tuesday following South Carolina's primary in addition to its regular May primary.

(6) OLD DREXEL FURNITURE PLANT: Rob Hawk, Cooperative Extension Service Director, introduced Lynn Sprague, Executive Director, Southwestern NC RC&D Council, who stated that the approximate 250,000 sf abandoned Drexel Furniture Plant in Whittier which the County owns has been vacant for about 5 years. He proposes to start a planning process to identify community supported uses for the building and 30+ acre site over the next year including the possibility of creating an agriculture development center which would be part of an effort to increase agriculture as an economic engine for the area. The site could be called the “Smoky Mountain Agriculture Development Station, Whittier, NC”. At this point ideas remain diverse from recreational needs for a ball diamond and boat launch site to Jackson/Swain County Fair Grounds, agriculture demonstration site, farmers market, business incubator, a stop for the train, a renewed furniture business and a training site for the community college. A need exists to develop an assessment and plan for the site that has strong community support before decisions are made.

In addition, a companion effort is being proposed through the Z Smith Reynolds Foundation to form an agricultural alliance with Jackson, Swain and the Eastern Band of the Cherokee Indians to increase the agriculture economy in the area. The Drexel Plant could become a focus point for this effort and would bring resources from many directions. A proposal has been submitted to the Foundation. The building is not without its problems of being in the flood plain and having some of the machinery scrapped and wiring stripped, but it is a solid large open space structure located on the river with high potential for many uses and could have a regional impact.

Jackson County is a member of the Southwestern Resource Conservation and Development Council. It is proposed that the Council lead a community driven planning process for the site and if appropriate incorporate this effort with the formation of the Agriculture Alliance. Funding for this process will come from grants, such as the Z Smith Reynolds Foundation, ARC Tool Box Grants and the TVA Ag and Forestry Grants.

He requested that the Board endorse the concept of an assessment and multi-use plan for the abandoned plant and that leadership for this process be given to the Southwestern RC&D working with the appropriate County Departments.

Consensus: *Continue to move forward with a plan of action and keep a strong line of communication open.*

There being no further comments, Commissioner Greene moved to adjourn the Work Session. Commissioner Cody seconded the Motion. Motion carried and the Work Session adjourned at 4:25 p.m.

Attest:

Approved:

Patsy C. Parris, Clerk to Board

W. J. Debnam, Chairman

