

**MINUTES OF A
WORK SESSION
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
NOVEMBER 18, 2013**

The Jackson County Board of Commissioners met in a Work Session on November 18, 2013, 2:00 p.m., Justice & Administration Building, Room A227, 401 Grindstaff Cove Rd., 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) EMERGENCY OPERATIONS/911 CENTER UPDATE: Odell Thompson, Architect, stated design development was completed on October 25th. A meeting is scheduled on December 2nd to finalize material selections and mechanical systems. Bid documents to be finalized on February 3, 2014. All bid documents should be ready for advertising by March 3rd. The bid opening is scheduled on April 4th. A Notice to Proceed should be issued by the first of May and he anticipates a one year project completion date.

(a) Discoveries during design phase:

- Entire site is on fill dirt, soil test proved it had been compacted adequately
- Water table higher on southwest side of site
- Organics found under southeast side of site
- Adequate soil, but check all footings before pouring concrete
- Must comply with NC State Building Code
- Can comply with NFPA recommendations (sprinklers/ratings) deleting sprinkler system
- Do not need to use raised floor system; all wiring will go overhead which will save dollars
- Water well seems adequate
- Septic field is adequate, however, will need to add a new septic tank for new building
- Antenna will be 80' tall, with no guide wires, will need to pour large amount of concrete
- Shingles or Metal Roof? Metal will save money and have longer longevity
- Re-use site lighting or replace

(b) Potential Scope Modifications: Site drainage work around west and south of site work could be bid as a separate project, but would add to cost.

Consensus: *Entire project to be bid so there will only be one contractor*

(2) **JUSTICE CENTER ASSESSMENT SCHEDULE:** The Justice Center Needs Assessment Steering Committee members are: Judge Bradley Letts, Jimmy Clawson, Ann Melton, Jay Coward, Tony Elders, Chad Parker and Chuck Wooten. Mr. Wooten presented a schedule for Heery Design to meet individually with the entities associated with the court system and a few county offices. The schedule reflects meetings will begin on January 14, 2014 and end, tentatively, with a presentation to the Board of Commissioners on January 17th.

(3) **FIRE TAX:** Mr. Wooten presented the following:

(a) **FY 13-14 Allocations:**

- General (Transfers to Fire Departments) - \$788,061
- Debt Service Payments - \$318,133
- Staff - \$322,420
- Total - \$1,428,614
- Current Tax Base - \$30,658,710
- Current Tax Rate - \$0.28
- Value of 1 cent - \$1,094,954
- Amount of Tax Rate for Support of Fire Departments - \$.013

(b) **FY 13-14 Capital Requests:**

- Cullowhee (New Main Station) - Est. Cost \$3.9 million, \$346,121 (15 years)
- Cashiers (Renovate Norton Rd Sub) - Est. Cost \$ 99,459, \$ 22,305 (5 years)
- Savannah (Greens Creek Sub Station) - Est. Cost \$350,000, \$ 34,360 (15 years)

(c) **Current Funding Inequity:** All departments receive the same funding amount for main station and substation operations while calls vary significantly among departments

(d) **Options for Consideration:**

- Each Fire District would stand on its own
- Each Fire District would be accountable to the taxpayers in their district
- A Fire Protection Tax would provide a consistent source of revenue
- The County could not divert the Fire Protection Tax for other purposes
- The Fire Department would own any asset purchased with Fire Protection Tax revenues
- The Fire Department could borrow money and pledge Fire Protection Tax
- The County would not be legally responsible for the debt

(e) **Fire Department Actions:**

- Prepare a comprehensive annual budget that includes all revenues and expenditures
- Determine the tax rate required to generate the funds needed to balance budget
- Advertise that a copy of department budget is available for public inspection
- Hold a public hearing to allow citizen input
- Submit final budget to Commissioners for inclusion in County budget with request to establish tax rate that will generate necessary funds to balance budget
- Fire Department budget would be incorporated into County Budget
- Once approved, fire protection tax would be included on the County tax bill
- Taxes collected would be remitted to fire departments monthly
- The majority of taxes are collected in December and January meaning fire departments would need to manage their cash flow
- The County would use all available collection techniques to collect taxes
- Current collection rate – 95.99%
- After the first year, the departments would receive both current and past due taxes as they are collected
- Fire tax must be implemented at the beginning of the fiscal year (July 1)

(d) **County Actions for Creating a Fire Service District:**

- Commissioners must determine there is a need for one or more fire service districts
- Commissioners must determine if it is impossible/impracticable for the County to provide these services on a countywide basis without unreasonable or burdensome annual tax levies
- There is a demand for the service within the districts
- Hold a public hearing to receive comments about a fire protection tax
- Initiate discussions with municipalities who have current fire taxes – municipalities may supplement fire departments
- Discuss establishing a maximum fire protection tax rate – probably \$0.15 (optional)
- Comments and support from fire departments (6 for and 1 against)
- Fire tax must be implemented at the beginning of the fiscal year

(e) **Final County Action:** The Commissioners must decide if a fire protection tax is the best option for Jackson County:

- If yes, the issue will be placed on the May 2014 ballot (Board of Elections will need a 90 day notice)
- If no, then Commissioners will discuss a future funding mechanism
- In all likelihood a base funding amount would be established that would not increase the tax rate

(f) **Tentative Fire Protection Tax Rates:**

Jackson County	(\$.013) Countywide Rate
Balsam	\$.036
Canada	\$.054
Cashiers	\$.003
Cullowhee	\$.010
Qualla	\$.028
Savannah	\$.041
Sylva	\$.023

***Consensus:** Due to concerns about taxes being higher for citizens who have lower property values, other options should be reviewed and discussed.*

(4) **COMPREHENSIVE TRANSPORTATION PLAN – PROJECT PRIORITY:** Gerald Green, Planning Director, stated NCDOT is requesting input into the ranking of transportation projects to be listed in the Statewide Transportation Improvement Program. The list of projects generated by the six counties in the Rural Planning Organization (RPO) will be ranked by the RPO Technical Coordinating Committee and Technical Advisory Committee using a process developed by RPO staff and approved by NCDOT. These rankings will be used by NCDOT to develop the final rankings for the projects.

In early 2011, the Board of Commissioners ranked proposed road improvement projects and provided that ranking to the RPO, which incorporated the top 6 projects into the list of prioritized projects provided to NCDOT. The top 6 road improvement projects as ranked by the Board in 2011 are:

- NC 107 in Sylva
- US 74/ US Bus 23 interchange improvements
- Cashiers crossroads improvements
- US 23 Bus from interchange to NC 107 boulevard reconfiguration
- US 441 and NC 116 new interchange
- Cope Creek Road improvements

NCDOT is using its existing list of transportation improvement project priorities, developed in 2011, as the starting point for the current ranking. Jackson County projects on the list are:

- NC 107 Connector from NC 107 east of Sylva to west of Cope Creek – new road
- NC 107 Connector from west of Cope Creek to US 23/74 east of Sylva – new road
- US 19 from Hughes Branch Road (Bryson City) to US 441N in Cherokee – upgrade
- US 64 from NC 107 to Lance Road – replace 2-lane road with 3-lane road, construct roundabout at intersection of US 64 and NC 107
- US 441 from US 74 to US 19 – convert 5-lane to boulevard with bike lanes and sidewalks
- US 74 from exit 74 to Piney Mtn Road – construct directional medians, U-turn bulb outs, and replace median islands with concrete median barrier
- NC 107 from US 23 Business to NC 116 – Upgrade to boulevard with median, improve intersections, and construct access management improvements
- US 74 at US 23 Business – construct westbound ramp
- US 23 Business from Hospital Road to NC 107 – widen to 4-lane divided boulevard
- Old Settlement Road from NC 107 to NC 116 – widen to minimum 22’
- US 441 at NC 116 – convert existing intersection to interchange
- US 19 from Rough Branch Road to Blue Ridge Parkway – widen to 20’ with 4’ paved shoulders
- NC 107 from NC 281 to end of climbing lane at Blue Ridge School – widen to 24’ with 5’ paved shoulders
- Cullowhee Mountain Road from NC 107 to intersection with Tilley Creek Road – Construct 24’ roadway with 5’ paved shoulders for bike lanes and 3’ grass shoulders
- NC 107 from Old Cullowhee Road to NC 281 – Modernize roadway

New projects can be added to the list and/or existing projects can be deleted. Up to 11 new road projects can be identified for the 6 county region and up to 5 projects can be deleted from the region’s list, with new projects substituted for the deleted ones. In addition to road projects, the ranking process also identifies other modes (bicycle/pedestrian, public transit, aviation, and rail). All bike/ped projects were removed from the project list and these projects have to be added back to the list. Bike/ped projects must be identified in an adopted plan and a 20% cost share must be approved by the responsible local government.

To assist with the ranking of the existing projects and the identification of possible new projects, the Planning Board assigned priority levels to the existing projects and identified possible new projects. The priority levels assigned the existing projects by the Planning Board are:

High:

- US 64 from NC 107 to Lance Road – replace 2-lane road with 3-lane road, construct roundabout at intersection of US 64 and NC 107
- NC 107 from US 23 Business to NC 116 – Upgrade to boulevard with median, improve intersections, and construct access management improvements
- US 74 at US 23 Business – construct westbound ramp
- US 23 Business from Hospital Road to NC 107 – widen to 4-lane divided boulevard
- Old Settlement Road from NC 107 to NC 116 – widen to minimum 22’
- NC 107 from Old Cullowhee Road to NC 281 – Modernize roadway

Medium:

- US 441 from US 74 to US 19 – convert 5-lane to boulevard with bike lanes and sidewalks
- NC 107 from NC 281 to end of climbing lane at Blue Ridge School – widen to 24’ with 5’ paved shoulders
- Cullowhee Mountain Road from NC 107 to intersection with Tilley Creek Road – Construct 24’ roadway with 5’ paved shoulders for bike lanes and 3’ grass shoulders

Low:

- US 19 from Hughes Branch Road (Bryson City) to US 441N in Cherokee – upgrade
- US 74 from exit 74 to Piney Mtn Road – construct directional medians, U-turn bulbouts, and replace median islands with concrete median barrier
- US 441 at NC 116 – convert existing intersection to interchange
- US 19 from Rough Branch Road to Blue Ridge Parkway – widen to 20’ with 4’ paved shoulders (very low priority)

No:

- NC 107 Connector from NC 107 east of Sylva to west of Cope Creek – new road
- NC 107 Connector from west of Cope Creek to US 23/74 east of Sylva – new road

Possible new projects identified by the Planning Board and the Planning Department are:

- Ledbetter Road – widen with multi-use paths/bike lanes
- Monteith Gap Road – widen with multi-use paths/bike lanes
- Ledbetter Road – extend and connect to Monteith Gap Road to create a loop road
- Wilmont Bridge – construct new bridge with adequate provision for turning movements
- Intersection of NC 107 and Frank Allen Road – upgrade intersection to address turning movements
- NC 107 from Slabtown Road to Frank Allen Road – convert existing road to boulevard with sidewalks
- US 64 from Lance Road to Slabtown Road – convert existing road to boulevard with sidewalks
- Tuckaseegee River Greenway – construct multi-use path from Sylva to Cullowhee/WCU
- Old Cullowhee Road (SR 1002) – construct bike lane/multi-use path from NC 107 intersection to Dix Gap
- US 74 from Dillsboro to Swain County – construct bike lane/multi-use path
- Speedwell Road from NC 107 to Forest Hills Road – upgrade roadway and add bike lane/multi-use path
- Skyland Drive from Chipper Curve Road to US Business – construct sidewalk along west side of road (Sylva Town Board)
- Mill Street from Spring Street to Keener Street – pedestrian improvements (Sylva Town Board)
- US 23 Business – sidewalk from Poplar Drive to Hospital Road (Sylva Town Board)

Identification of needed transportation improvements is important as this brings these needs to the attention of NCDOT staff. The Division will receive some funds and smaller projects may be undertaken at the division level.

Ranking the transportation projects will assist the RPO Technical Coordinating Committee and Technical Advisory Committee with the ranking of regional transportation projects. The deadline for submitting a list is November 19th.

The following priority projects were recommended:

- NC 107 from US 23 Business to NC 116 – Upgrade to boulevard with median, improve intersections and construct access management improvements.
- US 64 from NC 107 to Lance Road – replace 2-lane road with 3-lane road, construct roundabout at intersection of US 64 and NC 107
- US 74 at US 23 Business – construct westbound ramp
- US 23 Business from Hospital Road to NC 107 – widen to 4-lane divided boulevard
- Old Settlement Road from NC 107 to NC 116 – widen to minimum 22’
- Ledbetter Road/Monteith Gap Road – widen with multi-use paths/bike lanes, extend Ledbetter Road to connect to Monteith Gap Road as a loop road
- Wilmont Bridge – construct new bridge and modernize intersection

Consensus: *The project list will be placed on the regular meeting agenda for consideration.*

(5) ORDINANCE REVISIONS: Gerald Green, Planning Director, stated that as a result of amendments to various NC General Statutes adopted by the General Assembly during the past term, revisions to some of the County’s ordinances will be required. Among the ordinances and provisions that will need to be revised are:

(a) Cellular Telecommunications: SL 2013-185 made changes in the rules authorizing local governments to regulate the location, height, and other aspects of cellular communications facilities. The Planning Board is currently reviewing the Ordinance to address required revisions and identify other needed updates.

(b) Rules for Granting Variances and Special/Conditional Use Permits: SL 2013-126 updated the statutes authorizing the creation of Boards of Adjustment, rules governing the granting of variances and the issuance of special/conditional use permits. Among the items addressed are notices, hearing procedures, decisions, appeals, voting, and the standards for granting a variance. The US 441 Corridor Ordinance, the Cashiers Commercial Area Development Ordinance, and the Ordinance Creating the Board of Adjustment will be reviewed and revised as needed to comply with the state statutes.

(c) Outdoor Advertising: SL 2013- 413 eliminates the ability of local governments to prohibit the reconstruction of damaged billboards that have a valid NCDOT permit. The US441 Corridor Development Ordinance currently prohibits reconstruction of damaged billboard, thus a revision is necessary.

Revision of these ordinances will need to be reviewed by the appropriate boards (community planning council, planning board, etc.) and public hearing(s) held before being submitted to the Board of Commissioners for review and action. The Planning Department will work diligently to revise the ordinances as needed to comply with the North Carolina General Statutes.

Revision of ordinances regulating development is continuing. The revisions to the 441 Corridor Development Ordinance are complete and the 441 Corridor Planning Council is scheduled to give final approval on November 19. The revisions to the Mountain and Hillside Development Ordinance are nearing completion. The Planning Board scheduled to vote on the proposed revisions at their December meeting.

(6) TOURISM DEVELOPMENT AUTHORITY APPOINTMENTS: Mr. Wooten stated that the terms for five members will expire at the end of December. They were originally appointed for one year. The TDA submitted a list of members who have agreed to continue to serve if reappointed and potential candidates together with their classifications and qualifications. The appointments would be for 3-year terms.

NAME	Classification SJ=South Jackson NJ=North Jackson	Appointments Recommended By TDA	Classification
	SJ – medium 25+ rooms	Ashley Faulkner	SJ- medium 25+ rooms
Debby Hattler	SJ- 25+ or less rooms	Deborah Watson	SJ- medium 25+ rooms
	NJ- medium 25+ rooms	Heather Menacof	NJ- medium 25+ rooms
Cherie Bowers	NJ- Home rentals, condo’s	Joey Laughridge	NJ- home rentals, condos
Alex Bell	NJ- retail/tourism related	Mike Potts	NJ –retail/ tourism related
		Steve Morse	Ex-officio

(a) Debby Hattler, Cherie Bowers and Alex Bell have agreed to continue to serve if reappointed.

(b) Megan Orr’s name and qualifications were also submitted.

(c) The TDA also requested the appointment of Steve Morse as an ex-officio.

Consensus: Appointments to be considered at the December 2nd regular meeting.

(7) 2014 PLANNING RETREAT: Mr. Wooten recommended that a Board Retreat be scheduled at NCCAT in Cullowhee on Tuesday, January 21, 2014 from 9am – 4pm. Preliminary issues for discussion are:

- Modifications to the Mountain & Hillside Development Ordinance (steep slope)
- Economic Development Strategy
- Personnel Policy/Ordinance
- Recreation/Parks Dept. - proposed restructuring and expansion of outdoor activities
- Fire Tax – additional information including examples of a net increase in dollar amounts and examples of the five mile district insurance cost savings
- Revaluation update

(8) 2014 MEETING SCHEDULE: Mr. Wooten stated regular meetings are scheduled on the first Monday of each month at 2:00 p.m. and third Monday at 6:00 p.m. and it has become a tradition to have only one meeting in July and December.

Consensus: *Discuss at the Retreat.*

There being no further comments, Commissioner Cody moved to adjourn the Work Session. Commissioner Jones seconded the Motion. Motion carried and the Work Session adjourned at 4:15 p.m.

Attest:

Approved:

Patsy C. Parris, Clerk to Board

W. J. Debnam, Chairman

