

**MINUTES OF A
REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
MARCH 03, 2020**

The Jackson County Board of Commissioners met in a Regular Session on March 03, 2020, 6:00 p.m., Justice and Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian McMahan, Chairman	Don Adams, County Manager
Boyce Deitz, Vice Chair	Heather C. Baker, County Attorney
Mickey Luker, Commissioner (via speakerphone)	Angela M. Winchester, Clerk to Board
Ron Mau, Commissioner	
Gayle Woody, Commissioner	

Chairman McMahan called the meeting to order.

(1) **AGENDA**: Commissioner Mau moved to approve the agenda. Commissioner Woody seconded the Motion. Motion carried.

(2) **MINUTES**: Commissioner Deitz moved to approve the minutes of a Joint Meeting with the Board of Health of February 10, 2020; a Work Session of February 11, 2020; and a Regular Meeting of February 18, 2020. Commissioner Woody seconded the Motion. Motion carried.

(3) **CHAIRMAN'S REPORT**: Chairman McMahan stated that he had the opportunity to attend the Jackson County 4-H Achievement Night. It was a great opportunity to see the projects the students had been working on and to honor them in their success over the last year. It was a very nice event.

(4) **COMMISSIONER REPORTS**:

(a) Commissioner Mau stated that as it had been reported in the newspaper, TWSA hired an Executive Director, Daniel Manring.

(b) Commissioner Woody stated that she attended a meeting with the Sustainability Task Force from the TDA. There was great representation from all parts of the community. She was so pleased to see the efforts that were underway to sustain all areas of the county, particularly the natural resources.

In light of that, the Litter Task Force would be meeting the next week. NCDOT would be sending two representatives and they were going to look at very specific ways they could work together on the litter cleanup within the county.

(5) **COUNTY MANAGER REPORT**: Mr. Adams stated that he had no formal report, but had a couple of announcements. He distributed a memo that would be included as a payroll stuffer going out to all employees regarding the COVID-19 Virus. The memo contained general information from the Health Department in regards to the virus and what precautions needed to be taken. The local Emergency Planning Committee would be meeting on March 5th to try and keep everyone prepared. They did not want to overreact, but they wanted to be prepared.

Also, they received notice from the Dogwood Health Trust regarding the grants that were submitted by the county for the Opportunities and Needs Grants. At the staff meeting, all departments were encouraged to apply for the grants. Awards were made to:

- Aging: \$25,000
- Health: \$15,600
- Social Services: \$18,000
- Tax Collection: \$1,300

Commissioner Deitz stated that he spoke with the Health Director and she went over the steps they were going through. They called the State Department daily and at that time and they felt they were on top of the situation as best they knew how.

Mr. Adams stated that Shelley Carraway, Health Director and Melissa McKnight, Assistant Health Director, provided the county and the local Emergency Planning Committee information on a daily basis.

(6) INFORMAL COMMENTS BY THE PUBLIC: None.

(7) CULLOWHEE SMALL AREA PLAN: Caroline LaFrienier, Planner II, presented: Cullowhee Small Area Plan Process Update and Adoption Draft:

(a) Planning Process:

- The project started in March of 2019 with a kick off meeting and community stakeholder meetings. There was a full day of stakeholder meetings with members of the Cullowhee community and Western Carolina University (WCU).
- A survey was distributed on social media, via email and on the Planning Department website. Over 300 people responded to the survey and 31% of respondents stated that they have lived in Cullowhee for over 10 years.
- The Public Workshops/Design Charrette was held in April and lasted three days. The Charrette consisted of:
 - A walking tour of old Cullowhee
 - A Visioning Workshop
 - Tabling on WCU's campus
 - A Coffee Talk of the "Future of Cullowhee"
- The charrette, the survey and the stakeholder meetings provided the consultants with the majority of the information required to draft the plan.
- The Cullowhee Planning Council reviewed and commented on several drafts of the Cullowhee Small Area Plan. After incorporating the comments and revisions from the Planning Council, they have the Final Adoption Draft.
- The Cullowhee Planning Council held a public hearing on January 28th to give the community an opportunity to comment on the Final Draft. On February 3rd, the Cullowhee Planning Council recommended adoption of the Cullowhee Small Area Plan to the Board of Commissioners. The Jackson County Planning Board reviewed the Cullowhee Small Area Plan on February 13th and also recommended adoption of the Plan to the Board of Commissioners.

(b) The purpose of the Cullowhee Small Area Plan was to establish a framework for accommodating growth and development while maintaining the character, environmental quality and livability of the area.

- To accomplish this, the plan takes an inventory of the current conditions and then gave recommendations on how to achieve the vision and goals identified. The overarching goals for Cullowhee were:
 - To build Cullowhee's image and identity and promote business and economic development
 - To grow in a predictable, context appropriate manner
 - To increase housing options
 - To provide recreational opportunities and protect, enhance and respect the area's natural beauty
 - To enhance multi-modal transportation options
- Some examples of recommendations in the plan were:
 - LU-2 Improve the design of new housing development to reduce conflict and improve compatibility with existing neighborhoods
 - LU-5 Revitalize old Cullowhee
 - I-3 Develop programs and initiatives to encourage biking and walking and enhance mobility options
 - PN-2 Study preservation, environmental education and restoration opportunities along the Tuckasegee River and Cullowhee Creek.
 - PN-4 Protect cultural resources in the Cullowhee area.
- There was also an action plan with implementation strategies, proposed time frames and partners for each recommendation given.

She requested consideration for setting a public hearing on April 7th at 5:55 p.m. to be held at the Jackson Community School.

Commissioner Woody inquired if the plan included the CURVE Plan with the river?

Ms. LaFrienier stated that they worked in collaboration with CURVE, so they had some goals that matched what they were working on.

Motion: *Commissioner Mau moved to set a public hearing on April 7th at 5:55 p.m. to be held at the Jackson Community School, Sylva, North Carolina. Commissioner Deitz seconded the Motion. Motion carried by unanimous vote.*

(8) OFFER TO PURCHASE AND CONTRACT UPSET BID FROM HELMS: Ms. Baker stated that on January 7th, the Board approved the Helms initial bid of \$7,500.00 for Lot 27, Black Bear Court, containing 2.60 acres (PIN #7623-77-5190). The offer was upset for \$8,250.00, but before they were able to advertise that bid, Helms upset it for \$9,000.00, which had been advertised for ten days with no further upset bids. She requested approval of the final bid, which was \$9,000.00.

Motion: *Commissioner Mau moved to approve the offer for the final bid of \$9,000.00 from Helms, as presented. Commissioner Deitz seconded the Motion. Motion carried by unanimous vote.*

(9) CODE ENFORCEMENT OVERTIME POLICY: Mr. Adams stated that this item had been previously discussed. The information was the same with the exception of #5. They discussed if the additional service should be made available to those under Notice of Violation. Staff was instructed by the Board to add language to address this issue, which they did in #5 of the policy.

It was recommended that the Board temporarily establish an additional building inspection fee system for large commercial projects that request building inspections after normal business hours. Large commercial projects were to be determined by the Permitting Code Enforcement Director and the County Manager. It was also recommended to authorize the payment of overtime to Permitting and Code Enforcement inspectors who provide inspections services to these commercial projects that pay the additional fees. The recommendations are with the following conditions:

1. The fee system available to large commercial projects for after hour inspections is as follows:
 - a. The fee for weekday inspections that occur after 5 pm will be \$75 per hour with a minimum of 2 hour blocks.
 - b. The fee for weekend inspections will be \$75 per hour with a minimum of 4 hour blocks.
2. Building Inspectors who provide inspections services after hours for large commercial projects that pay the additional fees will be paid overtime in lieu of accumulating compensation time. Standard overtime rules will apply. Time and a half pay will be provided only to those who work over 40 hours in a week. Hours above 40 due to a holiday will be paid at a straight time rate.
3. The County Manager and Permitting / Code Enforcement Director will review this program on a monthly basis. Reports to the Board of Commissioners will be provided as needed and/or requested.
4. Inspections performed after normal business hours are subject to availability of personnel. Jackson County, at its discretions, reserves the right to refuse any request for building inspections after normal business hours.
5. After hours building inspections performed under this new temporary fee system that allows inspectors to be paid overtime in lieu of accumulating compensation time will **NOT** be made available to projects with known Notice of Violations (NOV's) related to the project construction until such a time as the NOV's have been cleared/lifted.
6. Jackson County and the Board of Commissioners reserve the right to change or revoke this after hours service at any time.
7. This policy is to be in effect until August 31, 2020 unless otherwise changed or revoked.

Motion: *Commissioner Woody moved to adopt the Code Enforcement Overtime Policy, as presented. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

(10) BUSINESS AND INDUSTRY ADVISORY COMMITTEE: *Carry over.*

(11) PLANNING BOARD: Commissioner Deitz recommended Zachary Newland to the District Two seat and Emily Moss to the At Large Two seat.

Motion: *Commissioner Deitz moved to appoint Zachary Newland to two year terms on the Planning Board, term expiring December 31, 2021 and Emily Moss to fill the unexpired term of Mary Sue Casey, term to expire December 31, 2020. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

(12) PUBLIC LIBRARY BOARD: Chairman McMahan stated that Tracy Fitzmaurice, County Librarian, recommended Dennis Cox to be appointed.

Motion: *Commissioner Woody moved to appoint Dennis Cox to a three-year term on the Library Board, term expiring November 02, 2022. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

(13) SEDIMENT CONTROL APPEALS BOARD: *Carry over.*

(14) PRESS CONFERENCE: None.

(15) CLOSED SESSION:

Motion: *Commissioner Deitz moved that the Board go into closed session pursuant to G.S.143-318.11(a)(5) Real Property. Commissioner Mau seconded the Motion. Motion carried.*

Chairman McMahan called the regular meeting back to order and stated that no action was taken in closed session except the approval of the minutes.

There being no further business, Commissioner Woody moved to adjourn the meeting. Commissioner Mau seconded the Motion. Motion carried and the meeting adjourned at 7:29 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman