

**MINUTES OF A  
REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
OCTOBER 20, 2020**

The Jackson County Board of Commissioners met in a Regular Session on October 20, 2020, 1:00 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 Zoom video conferencing)	Angela M. Winchester, Clerk to Board
Ron Mau, Commissioner (via Zoom video conferencing)	
Gayle Woody, Commissioner	

Chairman McMahan called the meeting to order.

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

(2) **MINUTES**: Commissioner Woody moved to approve the minutes of a Regular Meeting of September 15, 2020, as presented. Commissioner Deitz seconded the Motion. Motion carried.

(3) **CHAIRMAN’S REPORT**: None.

(4) **COMMISSIONER REPORTS**:

(a) Commissioner Deitz stated that he had been around the polls and early voting several times. It was amazing how smooth everything was going and how well prepared their people were. They were very prideful about how well it had gone. He thought they should be complimented for that.

(b) Commissioner Woody stated they held a Board of Health meeting last Monday, which was a very good meeting. One of the things that she was so gratified to hear was the continued efforts in light of the Covid situation. They had worked very hard to keep all their different departments going.

Because the Health Department had done early groundwork meeting with restaurants and trying to help them prepare for when they would reopen, restaurants had reached out to the Health Department for help. When they had an issue, they were able to get the help they needed. A lot of restaurants had been able to bounce back because of that and serve the community safely.

Also, the Rapid Response machine for testing they had ordered should arrive the next week. There had been a delay because of being on backorder. This would really help the situation in the county.

(c) Commissioner Mau stated he wanted to remind everyone that it was that time of year again when people needed firewood. The Department on Aging, along with the Cullowhee United Methodist Church, delivered firewood that past Saturday. This was ongoing, but they were doing things differently because of Covid. People were not coming at once to chop and they were delivering more safely. They did get 30 loads of wood delivered on Saturday. If they had the opportunity to volunteer, please do so.

**(5) COUNTY MANAGER REPORT:** Mr. Adams reported:

**(a) September 2020 Zoning and Building Permits:** He provided a report that listed the zoning district (if applicable), the owner/business name, the work permitted and the location of the project where the permit was issued. The Planning Department issued one commercial zoning permit and one renovation/addition permit in the month of September. Code enforcement issued one commercial permit and two renovation/addition permits in the month of September.

**(b) Community Services Center:** The parking lot was expected to be paved in the next couple of weeks. The punch list (items to be completed or finalized) was expected to be completed by the end of October. The furniture was scheduled to be delivered on November 30<sup>th</sup> and it was anticipated that the move-in could begin in the month of December.

**(c) 2020 Census Self Response Rate:** Overall, the county response rate increased 3.2% from 33.7% in 2010 to 36.9% in 2020.

**(d) 2020 Municipal Grant Program:** Grant applications would be accepted from municipalities until December 4<sup>th</sup>. The applications would be presented to the Board of Commissioners during the December work session. Awards would be made at the December mid-month meeting.

**(e) Blue Ridge School Water & Wastewater Project:** The project was currently out to bid. He provided a project schedule update. The county was awarded a \$1 million dollar grant from the CDBG Program to fix the water and wastewater issues at Blue Ridge School. The bids were due to be received by December 5<sup>th</sup>. The proposed completion date was June 15, 2021.

**(f) Justice Center:** Jury trials had resumed in the Justice Center. On Monday, November 2<sup>nd</sup> and Tuesday, November 3<sup>rd</sup>, court would be held in Room A201. There would be a lot of people on that side of the building related to the courts. He would work with staff to ensure they would be able to stay separated and safe regarding Covid issues.

**(g) Meeting Schedule:** He requested that the Board look at their December calendars. The first Tuesday of the month was December 1<sup>st</sup>. They also had to hold an organizational meeting on the first Monday of the month, which was December 7<sup>th</sup>. There would be a jury trial conflict at least once per month, at the beginning of the month. This would be an item on an upcoming agenda.

**(h) Maintenance Staff:** On Tuesday, October 6<sup>th</sup>, an unfortunate incident occurred on Savannah Road near the Old Courthouse. A crew was working on a house trying to waterproof the basement. The ditch collapsed and trapped several individuals. There was a great community response to the situation, but he wanted to recognize specific Maintenance Staff that responded. These gentlemen were digging these people out by hand. They were Ira Jones, Randy Cabe, Greg Norman, Jake Brooks, Dustin Cope, Daniel Morrison and Hunter Stanley. They were instrumental saving these individuals.

**(i) Executive Assistant to the County Manager:** As they were aware, his Executive Assistant, Jan Fitzgerald was moving on. She had decided to take a position in the Tax Office. He was excited for her and wanted to wish her well. She had served him and the county awesomely in the last multiple years.

**(6) INFORMAL COMMENTS BY THE PUBLIC:** None.

**(7) CONSENT AGENDA:**

**(a)** Darlene Fox, Finance Director, presented the Finance Report for September, 2020, one Budget Ordinance Amendments and one Project Ordinance Amendment for fiscal year ending June 30, 2021, for approval.

**(b)** Brandi Henson, Tax Collector, presented the Tax Collector and Refund Reports for September, 2020, for approval.

**Motion:** *Commissioner Deitz moved to approve the Consent Agenda. Commissioner Woody seconded the Motion. Motion carried by unanimous vote.*

**(8) ANIMAL RESCUE CENTER / GREEN ENERGY PARK BID AWARD:** Mr. Adams provided a letter received from McMillan, Pazdan, Smith, the Architect of record, that recommended accepting the bid provided by H&M Constructors in the amount of \$4,093,000, inclusive of the lump sum given for the main project and walking trails. Under the H&M Constructors contract, they would have the base bid of \$4,093,000, plus Alternates 1, 2, 5, 7 for a total contract award to H&M Constructors of \$4,333,500. The total project cost would be \$5,614,326. The Project Ordinance Amendment the Board passed prior to this item, placed enough monies in the budget to award this contract. It was recommended that the Board award this contract to H&M Constructors to include the Base Bid, Walking Trails and Alternates 1, 2, 5, 7.

***Motion:*** Commissioner Woody moved to award the contract on the Animal Rescue Center Green Energy Park, to include the Base Bid, Walking Trails and Alternates 1, 2, 5, 7 to H&M Constructors, as presented and authorize staff to execute the necessary contracts. Commissioner Mau seconded the Motion. Motion carried by a vote of 4-1, with Commissioner Deitz voting “nay”.

**(9) APPALACHIAN WOMEN’S MUSEUM:** Mr. Adams stated that the Appalachian Women’s Museum requested a total amount of \$34,760 be made available for this project. He did have follow up conversations with the Museum. There was a question previously about the water hookup. It was his understanding that TWSA ran the water to the house near the old water hookup. The Museum would have to pay someone to make that small hookup from the stub out from the house to TWSA.

If the Board wished to proceed forward with allocating up to \$34,760 towards the project, it would allow them to proceed forward with design and allow them to get bids. The engineer could then include the water hookup in the bid. If anything changed, they could come back to the Board for discussions.

He recommended that the Board award up to \$34,760 and they could proceed forward and submit invoices to the county for payment based on where they were in the project.

***Motion:*** Commissioner Luker moved to award up to \$34,760 towards this project, as presented. Commissioner Woody seconded the Motion. Motion carried by unanimous vote.

**(10) COMMUNITY SERVICES DEED RESTRICTION:** Mr. Adams requested permission for staff to proceed forward to place restrictions onto the property where the Health Department was located. The language was presented to the Board at a previous meeting. He did go back to Neo regarding the survey and they stated that it was not needed.

***Motion:*** Commissioner Woody moved to approve the request, as presented. Commissioner Deitz seconded the Motion. Motion carried by unanimous vote.

**(11) 2021 HOLIDAY CALENDAR:** As stated in the personnel policy, Mr. Adams presented the 2021 Holiday Calendar for consideration of approval:

2021 HOLIDAY SCHEDULE		
Holiday	Observance Date	Day of Week
New Year’s Day	January 1	Friday
Martin Luther King	January 18	Monday
Good Friday	April 2	Friday
Memorial Day	May 31	Monday
Independence Day	July 5	Monday
Labor Day	September 6	Monday
Veteran’s Day	November 11	Thursday
Thanksgiving	November 25, 26	Thursday, Friday
Christmas	December 23, 24, 27	Thursday, Friday, Monday

***Motion:*** Commissioner Mau moved to approve the 2021 Holiday Calendar, as presented. Commissioner Woody seconded the Motion. Motion carried by unanimous vote.

**(12) ORDINANCE DECLARING TEMPORARY TRAFFIC REGULATION FOR SPECIAL EVENTS - NEW YEAR'S AND GREENING UP THE MOUNTAINS 5K RACE**

**COUNTY EVENTS:** Ms. Baker stated the Recreation and Parks Department did not know if these events would occur, but wanted to be prepared. The New Year's 5K run was set for January 1, 2021 and the annual Greening Up the Mountains 5K race was set for April 24, 2021. The NCDOT rules and regulations require that the Commissioners adopt an ordinance approving the event. There would be no road closures and no public hearing was required.

**Motion:** *Commissioner Deitz moved to adopt the Ordinance for the 5K Run New Year's Day, as presented. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

**Motion:** *Commissioner Mau moved to adopt the Ordinance for the 5K Run Greening Up the Mountains 5K Race, as presented. Commissioner Woody seconded the Motion. Motion carried by unanimous vote.*

**(13) CULLOWHEE PLANNING COUNCIL:**

**Motion:** *Commissioner Woody moved to appoint Carol Burton to a three-year term on the Cullowhee Planning Council, term expiring December 31, 2023. Commissioner Deitz seconded the Motion. Motion carried by unanimous vote.*

**(14) PLANNING BOARD:**

**Motion:** *Commissioner Luker moved to appoint Thomas Taulbee to a one-year term on the Planning Board, term expiring December 31, 2021. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

**(15) SOLID WASTE BOARD:**

**Motion:** *Commissioner Luker moved to reappoint Benjamin Woods and Betty Foti to additional four-year terms on the Solid Waste Board, terms expiring December 31, 2024. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

**(16) PRESS CONFERENCE:** None.

There being no further business, Commissioner Woody moved to adjourn the meeting. Commissioner Deitz seconded the Motion. Motion carried and the meeting adjourned at 1:44 p.m.

Attest:

Approved:

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Angela M. Winchester, Clerk to Board

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Brian Thomas McMahan, Chairman