

**MINUTES OF A
WORK SESSION
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
NOVEMBER 10, 2020**

The Jackson County Board of Commissioners met in a work session on November 10, 2020, 1:00 p.m., Justice and Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian McMahan, Chairman
Boyce Deitz, Vice Chair
Ron Mau, Commissioner
Gayle Woody, Commissioner
Absent: Mickey Luker, Commissioner

Don Adams, County Manager
Heather C. Baker, County Attorney
Angela M. Winchester, Clerk to Board

Chairman McMahan called the meeting to order.

(1) WESTERN CAROLINA UNIVERSITY STUDENT GOVERNMENT ASSOCIATION: Mr. Adams stated that Jack Stuckey reached out to him and requested to make contact with the Board. Mr. Stuckey was the Liaison for Student Government Association at Western Carolina University (WCU).

Mr. Stuckey stated that his role was one of the Executive Board Members that served on the ASG General Assembly. Every month the UNC System, which consisted of 17 universities throughout North Carolina, would meet and have conversations on how they could represent students within their individual institutions, learn from others and how they could push for representation on the Board of Governors through the ASG Student President.

He wanted to provide an opportunity for the Board to have contact with him, as a student, about anything that may come up where there was a request or thought about students at WCU, as they were such a dense population within the county. Also, they were a large influx of income within numerous businesses and retail locations within the county and towns.

He knew how much work the Board did for the community and county. What was the biggest thing they wanted him to express and share with students to learn? He wanted them to understand that there were people taking care of the county they called home as they drove from all parts of the state and other states to enjoy an awesome education at WCU.

Chairman McMahan stated that he thought it was important for students to know that when they looked at the populations in the county, he made no difference between full-time residents and part-time residents. Whether that be someone that owned a second home or a student in student housing. They were just as much a part of the community. While they were in residence in the county, the concerns and issues they were facing was what they needed to focus on in addition to someone that lived in the county full time. He hoped they understood that.

Mr. Stuckey stated that he would love to share that with them. He had learned in life, that for people to thrive, they needed to know they mattered. They gave them excitement and encouragement to do even more within the campus.

Commissioner Woody stated that she wanted him to pass along that she was so impressed with the number of students that volunteered in the county. Last week at United Christian Ministries, they had a Social Work student that came and worked for hours doing whatever was needed. Last month, she stopped along Highway 107 and there were some young ladies picking up trash, which was very dear to their hearts. She thought there were so many positive ways that the WCU student body contributed in very practical, noticeable ways to the community.

Commissioner Deitz asked Mr. Stuckey to share about the students' involvement with the election.

Mr. Stuckey stated that he also served with the Student Democracy Coalition and the Department for Community Engagement and Service Learning with Director, Lane Perry. They did a lot of work to get students to the polls. They had an early voting polling station that was opened during the month of October for students to vote. He could not share the details, but it was impressive how many votes they collected that poured into the county and state.

General discussions were held.

Commissioner Mau stated that he echoed what the Chairman stated and they did care about the students.

Mr. Stuckey stated that if and when there was anything the Board may need student input on or to do work, just let them know. Also, Commissioner Mau came to Student Democracy Day last spring. That was an opportunity that WCU provided for candidates to come on campus and share and connect with students.

Commissioner Deitz asked about student involvement with the state legislature.

Mr. Stuckey stated that was centered around the Association of Student Government, which was a larger organization. They had a committee for government outreach within that organization that put on advocacy days where they went out and touched base with legislators in the state and within the region to have conversations about the needs of students. One thing they were pushing for at that time was mental health. That was a huge issue they were facing at that time locally to nationally.

Commissioner Woody stated that she appreciated his involvement and other students as they were the future that would step up and serve.

Informational item.

(2) DETENTION CENTER POSITION TRANSFER: Mr. Adams stated that he had been approached by the Sheriff regarding a vacant position of Lieutenant for the jail. Currently, that position was not a certified law enforcement officer. He did have a Certified Law Enforcement Officer that operated out of the Sheriff's Office budget versus the Jail Budget that was interested in that position.

The Sheriff requested to allow this officer to maintain the Law Enforcement Officer Certification and transfer to be Lieutenant of the jail. He wanted to put this position in line with other Certified Lieutenant positions, which was a Grade 52. This would turn this position into a Detention Lieutenant with LEO Certification. This would allow the Sheriff to have someone be a Lieutenant in the jail, but if he needed to call them out into the field, he would have someone with arrest power that could also be used as a Law Enforcement Officer.

Law Enforcement Officers had access to a second type of retirement. This person would not move out of that Certified Law Enforcement position into a Lieutenant jail position without maintaining their retirement. This would also allow this person to maintain their retirement. This did align with what he had done with his other Lieutenants and the Jail Captain. He believed there was value in maintaining the Law Enforcement Certification. The position would be moved from a Grade 50 to Grade 52.

Commissioner Woody asked if the person was currently a Grade 52?

Mr. Adams stated that this person was currently in a patrol position at a Grade 48. He recommended this to the Board to proceed forward because it maintained an additional person Certified as a Law Enforcement Officer. There was a lot of value for the Sheriff to have more people with this certification because they had arrest power. This allowed for flexibility in the jail and during times of emergency.

Consensus: *Add this item to the next regular meeting for consideration.*

(3) CDBG BLUE RIDGE SCHOOL CERTIFIED BIDS: Mr. Adams stated that Dr. Tony Tipton, Interim Superintendent and Jake Buchanan, Assistant Superintendent, were present for this item. They had a bid opening for this project, which he provided to the Board.

(a) The schedule for the project:

- November 5, 2020: Receive Bids
- November 6, 2020: Submit Itemized Bid Tabulation
- November 17, 2020: Item on the agenda for consideration by the Commissioners
- November 24, 2020: Contractor Returns Bonds and final execution of contracts
- December 10, 2020: Preconstruction Conference
- December 11, 2020: Construction Contract Notice to Proceed
- June 15, 2021: Complete Construction
- July 9, 2021: Final Inspection

(b) Tabulation of Bids Received:

- Teraflex Group, LLC: Total Base Bid \$1,380,000
- Stillwell Enterprises, Inc.: Total Base Bid \$1,280,000
- The Harper Corporation General Contractors: Total Base Bid \$2,857,000

The CDBG Grant that the county received was \$1,000,000, which covered construction costs, engineering costs and contingency. They were short \$280,000, plus all of the other additional expenses.

(c) He received a letter from Victor Lofquist, Professional Engineer, recommending they proceed forward with the low bid contingent upon:

- Funding being available to proceed;
- NC Division of Water Infrastructure found the CDBG documentation submitted with the Stillwell Enterprises bid be acceptable; and
- The award meets with the recommendations of the owner's attorney.

He called Julie Cubeta, MPA Supervisor CDBG-Infrastructure Program and she was proceeding forward to try to allocate an additional \$288,707 towards this project, which was the remainder of the funds in their account. He submitted a letter to them last Friday and they were hoping to receive approval from the Department of Commerce to transfer the remainder of the funds into this program. If the remainder of the funds were transferred, they would still be \$182,293 short, which would help cover the engineering fees and contingency fees.

There were funds available in the ¼ cent sales tax. He had conversations with Mr. Buchanan and they agreed that in order to move forward, it would be appropriate to move \$182,293 out of the ¼ cent sales tax fund into this fund. He also provided a copy of the contract for the Board to consider at the November 17th meeting. He was waiting for approval from CDBG that they moved the \$288,707 into the program.

He requested that Ms. Fox to bring a budget amendment to the Board at the November 17th meeting that would include the additional \$288,707 from CDBG and moving \$182,293 from the ¼ cent sales tax so that they would have enough funds in the project to proceed forward. The Board would then be enabled to vote on the project budget amendment, then award the contract and allow the Chairman to execute the contract.

Consensus: *Add this item to the next regular meeting for consideration.*

(4) ANIMAL RESCUE CENTER / GREEN ENERGY PARK CONSTRUCTION CONTRACT: Mr. Adams presented to the Board the construction contract that he requested be placed on the November 17th agenda for consideration of the Board for approval and authorize the Chairman to execute.

Commissioner Woody stated that in light of their work with Michael Poston, Planning Director, as far as having site preparation ready, would they have site preparation ready before they started building?

Mr. Adams stated they had an erosion control permit they would have to abide by. The difference between this project and other projects would be that the Board would have direct control over this project. They already had preliminary phone conversations and he was putting these issues on the contractors' radar and they would be very conscious of these issues.

Consensus: *Add this item to the next regular meeting for consideration.*

(5) COMMUNITY SERVICES CENTER: Mr. Adams stated he wanted to follow up by providing updated information to the Board. He provided an updated Change Order Log and indicated what had changed since he last presented the document.

- Credit of \$24,937
- Approximately \$12,000 to move the countertop forward to allow additional storage for office space
- May need to add a few more days
- Changes on hold: Concrete stain. He suggested they hold off on this until they were operating. If they wanted to improve the outside appearance in the spring, they could bring that conversation back up at a later time.
- The punch list had now been completed for both floors.
- The contractor was hopeful to get all cosmetic items done before November 30th.
- Furniture was slated to arrive on November 30th. Furniture would take two to three weeks to build out.
- 30 days to six weeks' notice to State I.T. to move the internet and phone lines.
- They were hopeful to look at a move-in date in January with a grand opening celebration.

Informational item.

(6) MEETING SCHEDULE: Chairman McMahan stated that they still did not know the timing of the organizational meeting, which had to be held on December 7th. Mr. Tom Stribling was the Commissioner-Elect for District Three. The winner of the District Four Seat had not been determined yet. There was a small difference between Former Commissioner Mark Jones and Mr. Mark Letson. Canvass Day would take place on November 13th where the final votes would be counted and the certification would take place.

Did the Board want to follow the normal schedule and meet on Tuesday, December 1st? Or would they rather meet prior to the organizational meeting on the 7th as the final meeting of the current Board?

General discussions were held.

Consensus: *Add this item to the next regular meeting for consideration.*

(7) OTHER BUSINESS:

(a) Mr. Adams stated there had been questions about the next steps regarding the indoor pool. The Bond Referendum, at that point, passed by approximately 500 votes. It was not official until the election was certified. The next steps necessary to proceed forward:

- Resolution regarding certification of the election
- Reimbursement resolution recognizing there would be expenses that would eventually be reimbursed with the loan or the bonds
- Budget amendment that would put funds in place to pay for an architect and bond attorney
- Vote on architectural agreement and bond attorney agreement

Generally, it would take eight months to one year to get designs for bidding. During this process, there would then need to be conversations about how they wanted to finance. The vote allowed for bonds to be issued, which seemed like the most efficient and effective way to move forward.

Chairman McMahan requested that Mr. Adams develop a timeline to present at the November 17th meeting.

General discussions were held.

Commissioner Woody stated that she wanted them to take extra steps to be transparent, not that they were not, in the process moving forward so that those who did not vote for the pool would see that there could be benefits for them. They were citizens of the community and would be helping to pay for it and they could make it a positive thing going forward.

Chairman McMahan stated that he thought that was a good point. A lot of people may have voted for it even though they thought it cost too much, but they still liked the idea. Some may have voted against it because they did not like the location, but still liked the pool. They may use it still.

Commissioner Woody stated that she thought they could emphasize that this would meet some needs for health, recreation and ongoing things that would be very beneficial to all of them.

Informational item.

(b) Commissioner Woody stated that she wanted to put something on their radar for later. She was involved in a class with UNC School of Government. Two of the school board members from Orange County and Wilmington stated that they had informal meetings jointly with the school board and board of commissioners. They had a meal together, not to talk about budgets or issues, but just to communicate. They reported how beneficial that was for ongoing negotiations about the budget and other issues. When the time came that they could get together, she would like to see them schedule a meeting with the School Board and with the Municipalities for informal opportunities.

Informational item.

(c) Commissioner Deitz stated that he wanted to suggest they look to the Health Department about the new vaccine for Covid-19 that may come out in a few weeks. There would be a huge expense in preparation just to receive the vaccine as far as refrigeration and all that went into that. It may be that they would need to spend some money to help the Health Department. If there were things they needed to do, they needed to be ahead of it rather than following it.

Mr. Adams stated that he had the Health Department scheduled for the December 8th work session. When they determine what date the work session would now be, he would work with them to attend.

Informational item.

(d) Chairman McMahan stated that he had conversations with members of the NAACP. They requested a resolution that the Sylva Town Board recently passed. The request was to erect a state historical marker that would tell the story of the Cowee Tunnel Tragedy. That was a process and an application that had to be filed with the State Historical Society. They were working to complete the application to submit to the state and were hoping to have supporting resolutions from local governments in the county to help support their effort to put the historical monument up. He would send the resolution to the Commissioners.

Informational item.

(e) Commissioner Mau asked if there was an update on the Dr. Jerry Wolfe road naming?

Commissioner Woody stated that everything was done. They were waiting for the signs to be made. Once DOT made the signs, they would determine a date they would be erected within a time frame. She had been in touch with Dr. Jerry Wolfe's daughter and they were hopeful it would be after Covid-19 so they could have a celebration.

Informational item.

There being no further business, Commissioner Mau moved to adjourn the meeting. Commissioner Woody seconded the Motion. Motion carried and the meeting adjourned at 2:02 p.m.

Attest:

Angela M. Winchester, Clerk to Board

Approved:

Brian Thomas McMahan, Chairman