

**MINUTES OF A
WORK SESSION
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
OCTOBER 12, 2021**

The Jackson County Board of Commissioners met in a Work Session on October 12, 2021, 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
Mark Jones, Commissioner
Tom Stribling, Commissioner
Gayle Woody, Commissioner

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

Chairman McMahan called the meeting to order.

(1) RURAL DIGITAL OPPORTUNITY FUND: Tiffany Henry, Economic Development Director was present for this item via Zoom. Mike Tanck, Director of Government Affairs, Charter Communications, was present for this item.

Mr. Adams stated this was an issue discussed briefly by the Board in previous meetings. Mr. Tanck would present information to the Board regarding the Rural Digital Opportunity Fund that Charter received to expand broadband in the county.

Ms. Henry stated that she had invited Mr. Tanck as Charter recently won a grant that specifically focused on Jackson County. With the challenges throughout the county with accessibility and gaps in coverage, they had been working in conjunction with Charter, along with all of the other internet service providers.

Mr. Tanck stated that Charter was also known as Spectrum. Charter was the parent company and Spectrum was the product they sold. Charter was the second largest cable company in the country, but did not have a presence in Jackson County, which would be changing quickly.

He presented: Broadband Discussion:

(a) Rural Digital Opportunity Fund (RDOF):

- FCC Program.
- Designed to address need to expand broadband into rural areas across the country.
- Eligible areas: census blocks with no broadband service (25/3 Mbps).
- Award determined through reverse auction.
- Charter bids were based upon enhanced desktop analysis – FCC 477 reports and census bureau data.
- Charter established new RDOF department.
- Six year build out window with intermediate benchmarks.
- www.SpectrumRuralExpansion.com

(b) RDOF Awards in North Carolina: Charter's RDOF awards in North Carolina was extensive, particularly to the most rural counties:

- National Charter was awarded over one million locations.
- In North Carolina, Charter was awarded over 125,000 locations.
- Over 90% of RDOF locations would be in rural counties.
- 11,128 locations in Jackson County.
- New build out areas would be FTTH.

- 200 Mbps standard service, Gig service available.
 - Low cost broadband service available through Spectrum Internet Assist for qualifying households.
 - Demonstrates Charter’s strong commitment to expand broadband into the rural areas of North Carolina.
- (c) Unserved Analysis:
- Enhanced desktop analysis.
 - Looked at areas with 35/3 Mbps or less broadband speeds.
 - Based upon FCC 477 reports and census bureau data.
- (d) Future Opportunities for Partnership:
- County funded projects: Charter and the county could discuss any projects the county would be interested in subsidizing to build out to areas otherwise not feasible, at the direction of the county.
 - American Rescue Plan (ARP): Charter and the county could discuss utilization of federal funding to extend service to unserved/underserved areas of the county, at the discretion of the county.
- (e) NC State GREAT Grant Program (Growing Rural Economics with Access to Technology): Charter and the county could partner together to extend service to eligible unserved/underserved areas of the county, per NCDIT/BIO requirements.

General discussions were held.

Ms. Henry stated that the North Carolina Broadband Office was set up well to execute the funding. The 11,128 locations throughout the county would be a conduit to areas farther west. She thought they had an opportunity to expand beyond what Charter had been awarded.

Also, she noted that anyone could participate in the North Carolina Broadband Survey from their home to test their internet to help providers determine how many households they could serve. The survey would be reported to a state level to show how unserved or underserved the county was. This would be the data the providers would use to make their Great Grant applications.

Mr. Tanck stated they had already started doing some work in the county. They had to make sure the poles they would attach to were in proper condition. They were in the process of doing this with a contractor using Lidar technology. Citizens may see these contractors throughout the county.

Historically, the cable company would have to pay to have new poles, if necessary. They had talked with the General Assembly about this issue and they anticipated there would be some legislation tied to “Make Ready Work”, which was making the pole ready for them to attach to. This had always been a problem with public owned companies, which were under the FCC structure. There were locally owned companies that were not under the structure. There was legislation pending for this to be on a timeline. Also, there was language in the bill addressing the cost of pole replacement and the possibility of ARPA funds being available for the “Make Ready Work”.

Mr. Adams stated they anticipated that when the state budget passed, the Great Grant Program would come out with some funding. They were also paying attention to some of the language. As they had discussed before, counties were restricted as far as how they could participate with funding of these projects, but they believed that when the budget passed, they would allow counties to utilize some of the ARP funds as matching funds. At that time, they did not have the ability to utilize federal funds to go toward broadband.

In anticipation of that, Charter presented to the Board, but they also had a couple of other local providers that they knew would be interested in the Great Grants. Ms. Henry had already started the request for proposals process so that when the state budget was passed and they had grant applications, they would have a process in place to hear proposals. Ultimately, the Board could make decisions about if the Great Grants and matching with ARPA funds met their priorities.

Informational item.

(2) CASHIERS-GLENVILLE RECREATION CENTER MASTER PLAN: Rusty Ellis, Parks and Recreation Director and Michael Hopkins, Assistant Parks and Recreation Director were present for this item. David Tuch, President and Landscape Architect, Equinox and Megan Foy, Landscape Architect, Equinox, were present for this item via Zoom.

Mr. Ellis stated that the county went into contract with Equinox mid-summer of 2019. They had previously worked with Equinox on other county projects, including the Greenway, Savannah Community Park and the Recreation Master Plan update. They started this project in September, 2019, with the Master Plan surveys being distributed out to the Recreation Center Members, as well as being placed on the department Facebook and website pages. They received 333 responses from the surveys. The first open house occurred on October 3, 2019.

After obtaining information from the surveys and the public open house, Equinox took this information and began to design concepts. The finalization of the Master Plan was set for early 2020, but the pandemic hit, so they decided to put the plan on hold. They resumed the plan in spring, 2021.

During the time when the plan was on hold, there were several key developments that occurred that caused additional concepts to be created. One development that occurred was that the original site of the Boys and Girls Club was moved, due to soil conditions, to the old Plastic Plant Property. The county had hoped to do possible planning on the old Plastic Plant Property. Equinox then went back and created another concept, which was Concept C.

Mr. Tuch stated they were focused on creating a central hub for recreational activities in the Cashiers-Glenville area. They looked at making it pedestrian accessible and provide for outdoor recreation that was connected to the community.

Ms. Foy stated they worked with their team and did a detailed site analysis to look at all of the open space on the parcel the county currently owned. They also had a kickoff meeting with various stakeholders to discuss various needs, including the Boys and Girls Club and the Planning and Parks and Recreation Departments.

They were then able to develop concepts, which she presented. One main item they looked at was the existing pool, which was in a state of disrepair and would require several upgrades. They looked at a report provided by Lofquist provided in 2017. They create two concepts removing the pool and placing it elsewhere. They also looked at upgrading the existing pool and enhancing other areas of the campus of the current property.

They held a public meeting and received feedback. They left the concepts up inside the recreation facility and also received feedback from people that used the recreation center. Most of the public wanted a new pool or to have a pool to use. They also wanted to see trails, pathways and access to nature areas on the campus.

After public input, they put the process on hold as the county wanted to look at the idea of integrating alternate parcels into the Master Plan. There were some parcels adjacent to the existing Recreation Center parcel that could be acquired and could have potentially made a difference in what they recommended in the Master Plan. They waited for input on those and developed some schematic designs and ideas of how the adjacent properties could be utilized if they were acquired.

Also, the new Boys and Girls Club site was found to not be suitable for building based on a Geotechnical report. They also took note that the same area housed the existing pool, which could have been leading to some of the issues the pool was experiencing. Another observation they had was the influx of stormwater in the area. They found that replacing the pool in that area was not the most suitable option.

Mr. Tuch stated that they looked at the 2017 cost estimate by Victor Lofquist and at the Geotechnical report where the Boys and Girls Club was going to locate. They also looked at their own site observations with the stormwater and the fact that the pool was in a low spot and there was no good way to address the stormwater issue. These were the reasons for their recommendation to not relocate the pool in the location where it was or to try to rehab it because of the cost and the fact that those long-term conditions of the stormwater would not be able to be addressed.

One reason the project was put on pause was to look at those outlying properties along the existing Cashiers Recreation boundary. There were areas where the pool could be relocated and they could relocate some of the activities onto some of the other spaces, such as where the new Boys and Girls Club was currently constructed.

In the spring of 2021, they came to the conclusion that they did not have a location on site for a pool with the existing facilities and buildings. They did evaluate this closely because it was one of the higher items listed on the survey from the public.

Ms. Foy stated that in the spring of 2021, they came together again and were told to move forward since there had been changes to adjacent parcels and were not to be looked at for the Recreation Center any longer. At that point, they decided they needed to move forward and come up with an alternate Concept C. In this concept, they recommended removing the pool and that it should go in an alternate location. She presented:

(a) Concept C: Potential Amenities:

- Racquet Sports and Picnic Pavilion
- Pickle Ball and New Regulation Size Tennis Courts
- Nature Play
- Wildflower Meadow with Reading Nooks
- Outdoor Classroom
- Outdoor Community Patio and Meeting Space
- Functional and Beautiful Stormwater Management
- Accessible Fishing Pier and Path Around the Pond
- Outdoor Community Patio and Meeting Space

(b) Rendered Master Plan:

- Existing Facilities and Areas that would remain
- Addition of Concept C

They were excited to provide this plan that would hopefully lead to more connectivity and recreation opportunities for the people of Cashiers and Glenville.

Mr. Ellis stated this had been a long process and they took a lot into consideration, along with public input. There was definitely a drainage issue in the pool area, so that whole concept needed to be thought about with whatever they decided to do in that area. The splash pad would still provide a water amenity without spending out as much money. There were some other tracts they could look at for possibly building a pool in the future. At that time, they were focusing on getting the most they could on the campus to fulfill everyone's needs and focus on the big picture.

General discussions were held.

Informational item.

(3) DRUG-FREE WORKPLACE AND SUBSTANCE ABUSE POLICY: Kathleen Breedlove, Human Resources Director, presented an update for Article V. Conditions of Employment, Section 11 – Drug-Free Workplace.

After a rewrite of the Drug-Free Workplace policy, along with a review by their Drug Testing vendor and the NCACC Risk Manager, she recommended to re-title the policy to read “Drug Free Workplace and Substance Abuse Policy”.

The Substance Abuse component of the policy provided details about the testing process, the Medical Review Officer's role in the review of non-negative results and the employee's right to a retest of the initial specimen at their expense, when the county may conduct an investigation and consequences of violations.

Additionally, an employee charged with violation of any criminal drug or alcohol statute would be required to report the charge to the Human Resources Office on the first business or scheduled work day (whichever occurred first) following the filing of the charge. This would be to ensure the Human Resources Director would be able determine the work status of the employee in conjunction with the County Manager. The previous Drug-Free Workplace Agreement and Acknowledgement forms signed by employees would be combined into one document.

It was recommended that the Board of Commissioners consider approval of the updated Drug Free Workplace and Substance Abuse Policy for inclusion in the Human Resources Manual.

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

(4) OTHER BUSINESS: Commissioner Woody stated that she attended the commemoration of the Harriet Tubman statue, which was beautifully done. The NAACP was the lead group organizing the event. They provided her with forms to share with the Commissioners for nominations for the Humanitarian Awards. Since 2015, these awards allowed them to recognize a local person or organization who had done something to create a better community in Western North Carolina. The theme for 2021 was “Journeying to Freedom”.

Informational item.

There being no further business, Commissioner Jones moved to adjourn the meeting. Commissioner Stribling seconded the Motion. Motion carried and the meeting adjourned at 2:36 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman