

**MINUTES OF A  
REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
MARCH 05, 2015**

The Jackson County Board of Commissioners met in a Regular Session on March 05, 2015, 6:00 pm, Justice & Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian McMahan, Chairman  
Mark Jones, Vice Chair  
Charles Elders, Commissioner  
Vicki Greene, Commissioner  
Boyce Deitz, Commissioner

Chuck Wooten, County Manager  
Angela M. Winchester, Clerk to Board  
J. K. Coward, Jr., County Attorney

Chairman McMahan called the meeting to order.

**AGENDA:** Chairman McMahan amended the agenda by adding GIS Award. Commissioner Elders moved to approve the Agenda. Commissioner Greene seconded the Motion. Motion carried.

**MINUTES:** Commissioner Greene moved to approve the minutes of a Work Session of February 17, 2015 a Public Hearing of February 19, 2015 and a Regular Meeting of February 19, 2015. Commissioner Elders seconded the Motion. Motion carried.

**(1) COMMISSIONER REPORTS:**

- (a) Commissioner Deitz congratulated the Lady Mustangs Basketball team and he stated the boy's team will be playing in Winston Salem Friday.
- (b) Commissioner Elders also wanted to congratulate both teams.

**(2) COUNTY MANAGER REPORT:** Mr. Wooten reported:

(a) **New Home Construction:** Building permits for new residential construction during the first two months of 2015 total 17 as compared to 16 during the same period in 2014. This suggests that 2015 may be another good year for new construction in the county. Of the 17 permits, 9 were for the Cashiers area which represents an increase from 2014. New commercial permits during this same time were identical to 2014.

(b) **Retail Sales in the County:** Retail sales during July 2014 through December 2014 are increased by 14.3 % as compared to the same period in 2013. This supports the increase of sales tax revenue during the same period.

(c) **Cullowhee Bridge (B-4159):** A request has been received from NCDOT about upgrading the electrical conduit in the bridge for this project to allow for the possibility of future bridge lighting. He is gathering additional information about this request and it will be added to the March 17<sup>th</sup> work session agenda.

(d) **Qualla/Sylva Fire Districts:** They had a good meeting with the fire chiefs from Qualla and Sylva about the possibility of modifying the district lines to reclassify some properties currently in the Sylva district to the Qualla district. Discussions between the two fire departments are continuing.

**(e) Upcoming Meetings:**

March 17<sup>th</sup> – March Work Session

March 17<sup>th</sup> – NCACC – Strategic Plan Input Sessions – AB Tech, Enka Campus (5:30 pm)

March 19<sup>th</sup> – Regular meeting of the Jackson County Commissioners

April 1<sup>st</sup> – NCACC District Meeting – WCU Ramsey Center, Hospitality Room – 5:30 pm

**Informal Comments by Public:**

(a) T.J. Walker of Dillsboro stated he is concerned about economic development in Dillsboro.

(b) Dick Darnall of Cashiers stated there is a need for better wifi at Ralph J. Andrews Park. He also stated there are some jagged rocks around the new beach area at Lake Glenville.

(c) Carl Iobst of Cullowhee stated he feels the citizens are over taxed.

(d) Marie Leatherwood of Sylva stated her disapproval of the Board's past and present actions.

**(3) CULLOWHEE COMMUNITY GARDEN:** Paula Carden, Health Department Director and Adam Bigelow, Community Garden Manager presented:

(a) The Cullowhee Community Garden:

- Donation based, organic garden
- No fee, gardeners donate half their produce through local food relief agencies
- All tools, equipment and materials provided
- First phase in a garden-based environmental education project
- Inaugural season 2013
- Many volunteer opportunities

(b) 2014 Season by the numbers:

- 530.7 pounds of produce donations recorded from July to November. The Community Table was the primary recipient.
- 328 volunteers were hosted by our Project Partner HIGHTS in The Cullowhee Community Garden, working 694 hours. These volunteer hours are valued at \$14,601.

(c) Garden members:

- 29 different garden plots were adopted by community members and by two organizations, HIGHTS and WCU Campus Kitchen Garden Club.
- Plot turnover is a part of every season. As of January 2015, 20 plots were taken out of 32 spaces total
- Open plots are available for adoption throughout the season
- New policy for 2015: if a plot is not adopted by the first of May, it will be prepared and planted for food relief donation.

(d) Plans and Projects for 2015

- Construct wooden stands to support water storage tanks
- Construct concrete pad for greenhouse and build glass/metal greenhouse
- Continue offering monthly educational workshops
- Expand and cultivate community connections and outreach

Ms. Carden stated that since the first grant received, they had operated on a shoestring budget. Last year, the Health Department put \$9,000 towards the project. In prior years, Parks and Rec had donated a matching \$9,000, but were unable to do so last year. This year the Health Department will put forth in their new budget, a request to Commissioners for \$21,868 for the Community Garden Project. The Health Department will provide \$9,000 towards this amount and is in favor of this project. They believe it goes along with their mission at of healthy communities and healthy eating options.

*No action required.*

(4) **GIS AWARD:** Mr. Wooten stated that the county is fortunate to have an excellent staff. From time to time individuals are singled out and identified as true leaders. In this case, the GIS Department, Kevin Jamison and Adam Blythe have been recognized with a statewide award for their GIS project.

Mr. Jamison stated it was an honor to bring the G. Herbert Stout Award for Innovative use of GIS to Jackson County. They were picked unanimously from among several candidates throughout the state. This is the first time the award has been given to a county west of Mecklenburg County.

Mr. Jamison gave a brief background of GIS. He stated that GIS is a database used to tie information to a point on the face of the earth. They used it in this project to GPS new well and septic locations in order to make research easier for staff and eventually with the new permitting system, to make it transparent for the general public.

Mr. Blythe gave a brief demonstration of how the project works.

*No action required.*

(5) **CULLOWHEE COMMUNITY DEVELOPMENT STANDARDS:** Gerald Green, Planning Director stated The Cullowhee Community Planning Advisory Committee has recommended adoption of development standards, with a development district map, for the Cullowhee community. The preparation of the development standards and map is authorized by Section 153A-342 of the North Carolina General Statutes. In addition to authorizing counties to adopt development standards for portions of the county, the legislation establishes standards for the area:

- Minimum of 640 acres
- At least 10 separate tracts
- At least 10 separate owners

The Cullowhee Planning Area contains approximately 1700 acres with approximately 400 separate properties and approximately 350 separate owners.

The Advisory Committee worked for almost a year and a half to formulate the development standards, incorporating several opportunities for community input during the process. Community meetings were held prior to the initiation of the effort to determine if the community supported the effort. Based upon comments made at these meetings, the Board of Commissioners appointed the Cullowhee Community Planning Advisory Committee in August 2013 and charged them with the following tasks:

- Determine whether planning is needed in the Cullowhee community.
- Recommend the boundaries of the Cullowhee planning area.
- Determine if development standards are needed for the Cullowhee planning area and, if so, to recommend appropriate development standards.
- Solicit and incorporate community input into their recommendations.

The recommended development standards provided for the Board's consideration are the results of the Committee's efforts. The Committee identified the need and support for managing the growth of the Cullowhee community, identified appropriate boundaries for the Cullowhee planning area and the need for development standards in this area, and incorporated community input into their recommendations. A dedicated website was created for the effort to provide information to community residents, property owners, and others interested in the project. Two community meetings were held to solicit community input on the initial draft development standards, with letters mailed to all property owners in the designated area informing them of the meetings. In addition, individual meetings were held with some members of the community to answer their questions.

Based upon input provided on the initial draft of the development standards, they were revised and the boundaries of the area were adjusted. The revised development standards and map were made available to the community and a third community meeting was held to solicit input on the revised draft. The Advisory Committee directed additional revisions to the proposed development standards and adjustments to the map based upon comments received during this comment period. The recommended development standards and map are provided for your consideration.

The proposed development standards would establish criteria for the development and major redevelopment of property located within the designated area. Existing development would not be addressed by the standards and all existing uses could remain. Standards for single family development are minimal and a variety of uses could be made of single family properties, from home occupations to student rentals to bed and breakfasts. Development standards for multi-family residential are more extensive and include standards to assure that adequate infrastructure (water, sewer, transportation) are available to meet the needs of the development. In addition to infrastructure, the proposed development standards address:

- Density
- Lot size and setbacks
- Building height
- Parking and access
- Landscaping and buffers
- Signage

The Cullowhee Planning Area map designates the following districts and identifies their location:

- Single family
- Single Family – manufactured home
- Townhome – Low density multi-family
- Medium density multi-family
- High density multi-family
- Institutional
- Commercial
- Parks/Open Space

In most cases, the designation of the property reflects the current use of the property or the anticipated future use as identified by the property owner.

The next step in this process is the consideration of the Cullowhee Community Planning Advisory Committee's recommendation by the Board of Commissioners. Should the Board decide to move ahead with possible adoption of the development standards and accompanying map, a public hearing is required. Adequate public notice, which includes publication of the map and mailed notice to all property owners in the area, must be provided for the public hearing.

The Cullowhee Community Planning Advisory Committee has recommended adoption of the Cullowhee Community Development Standards and the Cullowhee Planning Area map. The scheduling of a public hearing to receive community input on the proposed standards and map is requested.

*Mr. Green requested that a public hearing be scheduled. Chairman McMahan directed the Clerk to schedule a public hearing on April 23<sup>rd</sup> at 6:00 pm to be held at the Cullowhee Rec Center Gymnasium located at 88 Cullowhee Mountain Road.*

**(6) LEWIS – KINGS MOUNTAIN LEASE AGREEMENT:** Mr. Wooten presented a Lease Agreement between Jackson County and SkiFi, Inc., Travis Lewis for "Tower Space" located on Ridgeway Street in Sylva. Mr. Lewis agrees to provide free internet service to all county emergency services he can reach from his tower and compensate the county \$3 per account served from the tower. This lease is contingent up on Mr. Lewis successfully obtaining all necessary permits and approvals.

***Motion:*** *Commissioner Elders moved to approve the lease. Commissioner Deitz seconded the Motion. Motion carried by unanimous vote.*

**(7) JUSTICE CENTER SECURITY IMPROVEMENTS:** Mr. Wooten presented cost estimates for the first steps of implementing security for the building:

<u>Description</u>	<u>Amount</u>
Relocate and install fence in rear of Justice Center to secure law enforcement and detention center	\$27,462.54
Install fence to secure outdoor utility and HVAC Equipment	\$7,618.51
Estimate to relocate gate and extend fence for law enforcement parking and detention center access, allow judges to park behind gate	\$25,000.00
Electronic access through pedestrian gate and parking lot gate	\$17,229.00
Install door in hallway behind judge chambers to secure area for judges and restrict public access	\$10,000.00
Coordinate fire alarm systems between buildings. The judicial building alarm system is monitored by 911 Call Center and they will be relocating to new facility	\$11,900.00
Bag scanner, magnetometer, hand held scanners and other equipment for secure entry location	\$30,398.00
<b>TOTAL</b>	<b>\$129,608.05</b>

Mr. Wooten stated that these are items for approval and can be funded from the contingency fund. Approving this request would allow moving forward on the first steps and would demonstrate a commitment to move forward with security in the building.

***Motion:*** *Commissioner Greene moved to approve the request. Commissioner Jones seconded the motion. Motion carried by unanimous vote.*

**(8) ESTABLISHING SERVICE DISTRICTS:** Mr. Wooten presented a tentative timeline for creating service districts:

February 17 <sup>th</sup>	Follow-up discussion
March 5 <sup>th</sup> or 19 <sup>th</sup>	Decision about next steps
March 23 <sup>rd</sup>	Notice mailed
April 16 <sup>th</sup> and 23 <sup>rd</sup>	Notice published
Week of April 27 <sup>th</sup>	Public Hearing
May 7 <sup>th</sup>	Adoption of Resolution
May 19 <sup>th</sup>	Consider fire budgets
June 18 <sup>th</sup>	Adopt county budget
July 1 <sup>st</sup>	Tax levied

Mr. Wooten stated this item has reached the point of decision as to whether or not to move forward to establish service districts or potentially levy a tax. The next step would be to start generating conversations in the communities to determine their thoughts and what the next steps may be. If Commissioners choose to move forward with this step, notices will need to be mailed to the owners of every parcel in the fire districts with a copy of the map. Owners are required to have this information for four weeks before a public hearing. This is step is to solicit public input or set the item aside. At this time a motion is not required, just direction on how to move forward.

Chairman McMahan stated he would suggest that they move forward with publishing and mailing notices on March 23<sup>rd</sup> for a public hearing in the Cashiers-Glenville and Highlands Fire Districts to establish those two districts and start the process. He suggested not moving forward with the Cullowhee or Sylva districts at this time.

Commissioner Jones stated that he was comfortable with Chairman McMahan's suggestion.

Commissioner Greene stated that she too was comfortable with the suggestion and she believes this will give Cullowhee more time to work on their budget.

Commissioner Elders stated he also agreed. He does think Cashiers is ready to move forward.

Commissioner Deitz agreed and he thinks Cashiers has done a lot of work and is ready go forward and may be a good example for other districts later.

Chairman McMahan stated that he spoke with Randy Dillard, Fire Chief in Cashiers; Tim Green, Fire Chief in Cullowhee; and Mike Beck, Fire Chief in Sylva. They are all comfortable with this proposal. At the next work session the Commissioners will be looking at the first drawings of the new building Cullowhee has requested. At this time, the operational costs of the new proposed facility are unknown. Also, Bear Lake Reserve has offered to build a substation and provided the equipment for Cullowhee Fire Department at their location at Bear Lake in the next year. Again, the operational costs are unknown for this facility as well. With all of the unknown variables, it would make no sense to move forward with Cullowhee at this time.

Chairman McMahan also suggested a conversation with WCU officials and state legislators to determine what can be done to leverage more funds from Raleigh to help support fire prevention efforts for WCU, since the Cullowhee VFD is protecting such a large asset in the county.

Chairman McMahan asked Mr. Wooten to work with Chief Dillard towards a date, time and location for a public hearing.

**(9) ECONOMIC DEVELOPMENT STRATEGIC POLICY RESOLUTION (R15-06):** Rich Price, Economic Development Director presented the policy to strengthen the local economy and support strong economic development. The Economic Development Vision of the county is: Jackson County encourages the expansion of economic development options that promote the well-being and growth of the business community; diversify the tax base; and offer improved opportunities for its citizens.

**Motion:** *Commissioner Jones moved to adopt the Resolution. Commissioner Greene seconded the motion. Motion carried by unanimous vote.*

**(10) POLICY FOR APPROVAL OF OPENING OF CLOSED SESSION MINUTES RESOLUTION (R15-07):** Chairman McMahan stated that he North Carolina Open Meetings Statute G.S. §143-318.00 allows public bodies to meet in Closed Session for certain purposes. Statute requires “full and accurate minutes” and “a general account of Closed Session so that a person not in attendance would have a reasonable understanding of what transpired,” for all Closed Session meetings, and requires these documents be made public once it is determined that public inspection would no longer frustrate the purpose of a Closed Session. This Resolution establishes policy for approval and opening of Closed Session minutes.

**Motion:** *Commissioner Greene moved to adopt the Resolution. Commissioner Jones seconded the motion. Motion carried by unanimous vote.*

**(11) HEALTH BOARD:**

**Motion:** *Commissioner Jones moved to reappoint Kim Cowan to serve a three year term on Health Board. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.*

**(12) FIREMEN'S RELIEF FUND:** At a regular meeting on January 29<sup>th</sup>, the Board made appointments for one year terms to the Firemen's Relief Fund Board of Trustees. The appointments should have been for two year terms.

***Motion:*** Commissioner Greene moved to appoint BB Cantrell to a two year term on the Balsam VFD Relief Fund Board of Trustees; Darren Messer to a two year term on the Canada VFD Relief Fund Board of Trustees; Phillip Farmer to a two year term on the Cashiers VFD Relief Fund Board of Trustees; Grady Parker to a two year term on the Cullowhee VFD Relief Fund Board of Trustees; Nick Stewart to a two year term on the Qualla VFD Relief Fund Board of Trustees; Jessica Buchanan to a two year term on the Savannah VFD Relief Fund Board of Trustees. Commissioner Deitz seconded the Motion. Motion carried by unanimous vote.

**Press Conference.**

**CLOSED SESSION:**

***Motion:*** Commissioner Greene moved that the Board go into closed session pursuant to G.S. 143-318.11 (a) (3) Legal. Commissioner Deitz seconded the Motion. Motion carried.

Chairman McMahan called the regular meeting back to order and stated no action was taken in closed session except the approval of the Closed Session Minutes of January 29, 2015.

There being no further business, Commissioner Deitz moved to adjourn the meeting. Commissioner Elders seconded the Motion. Motion carried and the meeting adjourned at 8:12 p.m.

Attest:

Approved:

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Angela M. Winchester, Clerk to Board

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Brian Thomas McMahan, Chairman