

**MINUTES OF A
REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
SEPTEMBER 17, 2015**

The Jackson County Board of Commissioners met in a Regular Session on September 17, 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
Jan Fitzgerald, Executive Assistant
Heather Baker, County Attorney

Chairman McMahan called the meeting to order.

(1) **PROCLAMATION**: Commissioner Jones read a Proclamation honoring Mountain Faith for their achievements, dedication and for serving as Jackson County's ambassador. Commissioner Elders moved to approve the Proclamation. Commissioner Greene seconded the Motion. Motion carried.

Commissioner Jones stated he had the honor of presenting the Proclamation to the band at a homecoming parade on September 10th, which was well attended.

(2) **AGENDA**: Chairman McMahan amended the agenda by adding an item for the Glenville VFW Jimmy Dillard Post and an item for Mountain Hillside Development Ordinance Public Hearing. Commissioner Greene moved to approve the Agenda. Commissioner Jones seconded the Motion. Motion carried.

(3) **MINUTES**: Commissioner Greene moved to approve the minutes of a Regular Meeting of September 01, 2015. Commissioner Elders seconded the Motion. Motion carried.

(4) **COMMISSIONER REPORTS**:

(a) Commissioner Elders thanked the Board for changing the schedule so that he could attend the 50th anniversary of Mountain Projects. It was a very good event.

(b) Commissioner Greene stated that the Tourism Development Authority met yesterday and they are looking at proposals for a management team or manager to help with running that organization. The Board members and Ms. Fox have been doing everything for the last three years and they now feel that it is time to hire someone to help them.

Also, she stated that there have been lots of people going to the Chamber of Commerce asking about Mountain Faith and their location. They have been very good for the county.

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

(a) **NC Budget**: It appears the NC Legislature is prepared to adopt the budget that was presented by the conference committee and legislative leadership. The proposed budget does provide funding for teacher assistants and the driver's education program. One of the proposals that has been discussed throughout the session is a redistribution of sales tax. Several scenarios were considered and early in the process it appeared Jackson County may receive additional revenue; however, the final proposal has the Jackson County listed as one of 21 counties receiving none of the additional sales tax funds.

In Western North Carolina, Buncombe, Jackson and Macon were omitted from the distribution of the revenue that will be collected from the expanded services and activities that will now be taxed. Unfortunately, the citizens will pay the taxes and the revenue will be distributed to other counties. At this point, there has been no information provided as to why counties were included or excluded. The final details of the bond referendum are being negotiated and additional information should be available in the next few days as discussion about adjournment has already begun. Hopefully, funding would be provided for WCU's science building, a reasonable allocation of funds for community colleges, and possible funds for improving technology in the court room.

(b) Single Point of Entry: All work has now been completed in the main lobby area and the security equipment is scheduled for installation today. Because of the delay in finalizing all construction activities, the single point of entry and related security procedures will officially begin on Monday, September 28th. This will allow adequate time for training of the Sheriff's Department personnel. All outside exterior locks have been replaced and access to the building is now granted through the electronic locks.

(c) Exception to the Single Point of Entry: The Justice Center has served as the north Sylva polling location for many years. The Board of Elections has requested an exception to the security procedures on election days. They propose to relocate voting from the courtroom to commissioner's room and to provide access to the commissioner's room through the Sheriff's lobby. This will require two deputies to be stationed throughout the day at the double doors near the elevator and at the entrance to the commissioner's room. The Sheriff's lobby will only be used for citizens who are voting and all other visitors will enter the building through the single point of entry. This proposal has been discussed with Judge Letts, Sheriff Hall and Chairman McMahan and all are in agreement to allow the exception. They discussed the idea of identifying another location; however, the Election Board is not supportive of relocating this polling location.

(d) Performance Audit: Representatives from Benchmark Planning were on site today for their final visit prior to the release of the performance audit. As things now stand, the performance audit will be presented to the Board at the October work session on October 20, 2015. They delayed the search for the planning director until this report was received; however, he believed this search needs to move forward. He provided information about the three finalists to Benchmark for their comment. They hope to have a meeting of the search committee on September 28th and will schedule on-site visits for the three finalists.

(e) Future Meetings:

September 22, 2015:	Public Hearing – MHDO
September 28, 2015:	Region A Meeting
October 1, 2015:	Commissioners Meeting
October 15, 2015:	Commissioners Meeting
October 20, 2015:	Work Session
October 29, 2015:	Joint Meeting-Commissioners and Board of Health

(6) PLANNING BOARD UPDATE: Mr. Wooten stated the planning board was currently working on the Industrial Development Ordinance. They are going through the definitions, which is a slow and tedious process. He thought they would be farther along in the process if they had a planning director in place to lead them. Also, just as a reminder, there are a number of people that will be coming off the board at the end of this year, so appointments will be needed.

(7) INFORMAL COMMENTS BY THE PUBLIC:

(a) Tom Fischel of Cullowhee Mountain stated he was concerned that the county did not have any prepositioned MRE's within the county. The problem seemed to be space available for storage. He requested that the county provide 3-5 days of MRE's and store them at firehouses, rescue squad buildings and recreation facilities, which would be distributed by the county. An alternate plan would have private organizations pay for the MRE's, with help from the county. They would then be stored at churches and distributed by churches.

(b) Bob Stafford of Glenville stated the VFW was dear to his heart and requested that the county assist with funding for renovations to the restrooms making them ADA accessible. The Glenville VFW has received a grant for \$5,000 from Home Depot to go towards the renovations. They need matching funds from the county to receive the grant.

(8) CONSENT AGENDA:

(a) Darlene Fox, Finance Director, presented the Finance Report for August, 2015, for approval.

(b) Brandi Henson, Tax Collector presented, Tax Collector and Refund Reports for August, 2015, for approval.

Motion: Commissioner Greene moved to approve the Consent Agenda. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.

(9) CASHIERS SRC PAVING BIDS: Chad Parker, Public Works Director, presented the bid tabulation for paving the entrance at the Cashiers SRC. He stated the apparent low bidder was Jeff Madden Trucking & Excavating Co., Inc.

<u>Bidder's Name</u>	<u>Bid Security Provided</u>	<u>Base Bid \$</u>	<u>Add Alternate #1</u>	<u>Total Base Bid + Alt #1</u>	<u>Unit Prices</u>		
					<u>No. U1 Rock Evacuation (\$/CY)</u>	<u>No. U2 Undertrain (\$/LF)</u>	<u>No. U3: Asphalt pavement (add or deduct per SY)</u>
Jeff Madden Trucking & Excavating Co. Inc.	√	\$249,230.00*	\$62,062.00	\$311,292.00	\$100.00	\$15.00	\$8.75
Parker Excavating, Inc.	√	\$296,765.00	\$81,620.00	\$378,385.00	\$150.00	\$18.00	\$10.00
Site Development Corporation	√	\$331,115.00	\$112,420.00	\$443,535.00	\$195.00	\$70.00	\$9.90
Engineer's Estimate	√	\$282,124.00	\$72,934.00	\$355,058.00	\$200.00	\$40.00	\$13.80

*A math error was discovered and corrected in Item #3 of Jeff Madden Trucking Base Bid for this Bid Tabulation.

Motion: Commissioner Jones moved to award the contract to Jeff Madden Trucking & Excavating Co., Inc., to pave the entrance at the Cashiers SRC. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.

(10) GLENVILLE VFW JIMMY DILLARD POST: Commissioner Jones stated he had been approached regarding renovations at the VFW Post in Glenville. The building is being used by the community and church organizations along with the VFW. They applied for a \$5,000 Home Depot grant and was awarded the grant. The funds will be used to refurbish the bathrooms, which are not currently ADA accessible. He requested that the county consider matching the \$5,000 grant. The grant will expire on October 1st. They have a \$12,000 cost estimate, with \$2,000 being raised by the members themselves.

Motion: Commissioner Jones moved to provide matching funds to the Home Depot Grant in the amount of \$5,000 towards the renovations at the Glenville VFW Post. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.

(11) MOUNTAIN AND HILLSIDE DEVELOPMENT ORDINANCE: Chairman McMahan stated Commissioners had previously set a public hearing on September 22nd for the proposed changes to the Mountain and Hillside Development Ordinance. Since then, they have looked at the requirements for notice of the public hearing and they believe they may have inadvertently not advertised the public hearing correctly. He requested to cancel the public hearing and reschedule at a future meeting.

Motion: *Commissioner Elders moved to cancel the Mountain and Hillside Development Ordinance Amendment public hearing set for September 22nd, to be rescheduled at a future date. Commissioner Greene seconded the Motion. Motion carried by unanimous vote.*

(12) US 441 CORRIDOR DEVELOPMENT ORDINANCE AMENDMENT: John Jeleniewski, Planning Department, presented a proposed amendment “Identifying Group Homes as a Use Requiring Additional Standards in the Rural Living District and Establishing Standards for this Use”, as recommended unanimously by the 441 Corridor Planning Council. They had received a request for a group home in the 441 corridor. Prior to the proposed amendment, there were no provisions for group homes or family care homes. A public hearing was held prior to this meeting with no public comment.

Motion: *Commissioner Greene moved to adopt the amendment to the US 441 Corridor Development Ordinance. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(13) JUSTICE CENTER SECURITY ORDINANCE: Chairman McMahan stated a public hearing was held prior to this meeting and comment was received from the public.

Motion: *Commissioner Green moved to adopt the Justice Center Security Ordinance as presented. Chairman McMahan seconded the Motion.*

Chairman McMahan noted that the ordinance can be amended in the future, as needed. However, in order to move forward with securing the building and the security measures, they felt it necessary to adopt the ordinance at this time.

Mr. Wooten noted that the ordinance states that it becomes effective upon adoption. He suggested that the ordinance become effective on September 28, 2015, when single-point of entry to the building begins.

Chairman McMahan asked for an amended motion to include the suggested effective date change.

Motion: *Commissioner Green moved to adopt the Justice Center Security Ordinance with a revised effective date of September 28, 2015 to coincide with the single-point of entry start date. Commissioner Jones seconded the Motion. Motion carried by unanimous vote.*

(14) PLANNING BOARD: Chairman McMahan stated that during work session, Commissioners discussed the planning board appointments and how they have gotten out of sync over the years. In order to correct the appointment dates and create staggered terms, they will need to make revisions to the ordinance. The staff has been task with putting together amendments to the ordinance that governs and provides for the planning board. The amendments will be ready for review at the first of October. Commissioners will then call for a public hearing to amend the ordinance that establishes the planning board. One of the revisions will be to create term beginning and ending dates that will clearly define the terms. Also, most members will be expiring at the end of the year and will need to be filled in December. Commissioners will need to work to secure appointments for the vacancies in December.

Informational item only.

(15) PRESS CONFERENCE: None

(16) CLOSED SESSION:

Motion: *Commissioner Elders moved that the Board go into closed session for two items pursuant to G.S.143-318.11(a)(5) Real Property. Commissioner Jones 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 August 18, 2015.

There being no further business, Commissioner Deitz moved to adjourn the meeting. Commissioner Jones seconded the Motion. Motion carried and the meeting adjourned at 7:27 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman