

**MINUTES OF A  
REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
MAY 15, 2017**

The Jackson County Board of Commissioners met in a Regular Session on May 15, 2017, 6:00 p.m., Justice & Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian McMahan, Chairman  
Charles Elders, Vice Chair  
Boyce Deitz, Commissioner  
Mickey Luker, Commissioner  
Ron Mau, Commissioner

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

Chairman McMahan called the meeting to order.

(1) **PLAQUE PRESENTATIONS:** Chairman McMahan stated that the county had identified all former county commissioners, who had served over the years, with a plaque displayed in the board room. At that time, they had two plaques to add and unveil for former District Four Commissioner Mark Jones, who served from 2006 to 2016 and former District Three Commissioner Vicki Greene, who served from 2012 to 2016.

(2) **AIRPORT SAFETY MARK OF DISTINCTION AWARD:** Chairman McMahan recognized the Jackson County Regional Airport for winning the Airport Safety Mark of Distinction Award.

On March 27, 2017 at the North Carolina Airports Association annual conference, the North Carolina Department of Transportation Division of Aviation, presented the 2017 Airport Safety Mark of Distinction Award to the Jackson County Airport. Jackson County was chosen from the 72 public airports in North Carolina.

The award commended the Airport for its dedicated efforts, professionalism and commitment to safety and was in recognition for work related to the advancement of airport safety by completing safety projects and improvements, according to Jimmy Capps, who presented the award on behalf of the Division of Aviation.

The Airport was particularly praised for the work of removing trees that had been growing into the airport approach for more than 40 years. Airport Operations Manager, Jim Rowell accepted the award and gave well deserved credit to the Board of Commissioners for their support of the airport and to Public Works Director, Chad Parker and Grounds and Maintenance Supervisor, Ira Jones and their crews for removing the trees carefully and safely working between power lines, roads and fence lines on very steep terrain.

(3) **LAW ENFORCEMENT OFFICERS WEEK AND PEACE OFFICERS MEMORIAL DAY PROCLAMATION:** Commissioner Luker read a Proclamation declaring May 14<sup>th</sup>-21<sup>st</sup> as Law Enforcement Officers Week and May 15<sup>th</sup> as Peace Officers Memorial Day. Commissioner Elders moved to approve the Proclamation. Commissioner Mau seconded the Motion. Motion carried.

(4) **AGENDA:** Commissioner Mau moved to approve the Agenda. Commissioner Elders seconded the Motion. Motion carried.

(5) **MINUTES**: Commissioner Elders moved to approve the minutes of a Special Work Session of April 27, 2017; a Regular Meeting of May 01, 2017; and a Work Session of May 09, 2017. Commissioner Deitz seconded the Motion. Motion carried.

(6) **CHAIRMAN'S REPORT**: None.

(7) **COMMISSIONER REPORTS**: None.

(8) **COUNTY MANAGER REPORT**: None.

(9) **INFORMAL COMMENTS BY THE PUBLIC**:

(a) Colton Bailey of Sylva, stated that local government could promote policies that attract new business and sustain current ones, but should it be the role of the local government to promote the sale and consumption of alcohol? The "Hook, Line, and Drinker" festival, which would be sponsored by the Jackson County Chamber of Commerce, was nothing more than an immoral and impractical way to spend Jackson County taxpayers' dollars. In addition to this, the Chamber of Commerce had the audacity to label the event as "family friendly". This seemed very counter intuitive, considering every fifth grader in the county went through an extensive drug and alcohol resistance program, funded by taxpayers as well. So, in a sense, the county promoted resisting alcohol for those in adolescence to their mid-20s, but reversed position and promoted alcohol consumption later in life. He understood that the county gave very little financial support to the Chamber.

(b) Mike Doppke of Cullowhee stated that regarding the proposed apartment complex on South Painter Road, he wanted to reiterate the impact the complex would have on safety in the area. The job of the county was to provide services and protect the citizens. He had concerns with the bridge currently being built and getting construction equipment across the bridge with narrow turns, he thought this would be an extremely dangerous situation. He felt more traffic would cause more problems.

(10) **CONSENT AGENDA**:

(a) Darlene Fox, Finance Director, presented the Finance Report for April, 2017 for approval.

(b) Darlene Fox, Finance Director, presented seven Budget Ordinance Amendments for fiscal year ending June 30, 2017, for approval.

(c) Brandi Henson, Tax Collector, presented, Tax Collector and Refund Reports for April, 2017, for approval.

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

(11) **JUVENILE CRIME PREVENTION COUNCIL (JCPC)**: Steve Lillard, JCPC Chair, stated the Department of Juvenile Justice allocated funds to counties on an annual basis. He presented selected programs, certification, membership list and proposed funding for FY17-18 in the total amount of \$138,897. The selected programs were Project Challenge, Hawthorn Heights and COMPASS Inside Out. The required local match was \$20,424.

**Motion**: *Commissioner Luker moved to approve the programs, certification, membership list and funding plan. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

Mr. Lillard announced that after ten years, he was stepping down as chair of JCPC. Heather Baker would be the new chair.

**(12) PROPOSED EASEMENT – SOUTH PAINTER ROAD:** Brantley Basinger, Principal, Mallory & Evans Development, stated that the Commissioners had received the Traffic Study for review and he had no additional information at that time.

Commissioner Deitz stated he felt they would be putting in a first-class facility, but he was concerned about the safety issues that already existed in the area.

Commissioner Mau inquired if it was correct that at the June 12<sup>th</sup> quasi-judicial hearing before the Cullowhee Planning Council, the developer would have a concept and know where they would get utilities and have all those issues worked out before they go before the Cullowhee Planning Council. That was the point where Cullowhee Planning Council would look at the Cullowhee Planning document and make a checklist of how it would affect traffic, etc. This was where it would come up about safety and traffic regarding the special use permit.

Michael Poston, Planning Director, stated that the quasi-judicial process would include traffic, adjacent property owner values, health, safety, general welfare aspects and how the development would fit into the community. The applicant would present their case to the Cullowhee Planning Council, sitting as a quasi-judicial board. It would not come back to the Board of Commissioners. The decision would be made by the Cullowhee Planning Council and the appeals process would be in superior court.

Commissioner Mau stated the developer could still move forward regardless of the Commissioners decision. They could seek other options or other easements from other property owners.

Mr. Poston stated that the Cullowhee Planning Council would determine whether or not they met the standards of the ordinance. If they felt they met the burden of proof, they may choose to approve the application and special use permit. If they don't believe they met the burden of proof, they may choose to deny the application, which would be based on the factual information presented to the Cullowhee Planning Council.

Commissioner Luker stated that the Commissioners were not voting to approve the development, they were only voting to approve the easement and the sale of property.

Mr. Poston stated that certain processes and decision making had been given to the Cullowhee Planning Council by the Board of Commissioners.

***Motion:*** Commissioner Luker moved to grant the requested easement for access to sewer and storm water, to be purchased by Mallory & Evans Development from the county for the sum of \$10,000, as compensation for the easement, subject to the approval of a special use permit from the Cullowhee Planning Council. Commissioner Elders seconded the Motion. Motion carried by a vote of 4-1, with Chairman McMahan voting "nay".

***Motion:*** Commissioner Luker moved to accept the offer from Mallory & Evans Development to purchase a portion of PIN #7559-26-9687, containing approximately 0.19 acres, from the county for the sum of \$25,000, subject to the approval of a special use permit from the Cullowhee Planning Council and subject to the upset bid process. Commissioner Deitz seconded the Motion. Motion carried by a vote of 4-1, with Chairman McMahan voting "nay".

**(13) AMERICAN RECYCLING CONTRACT RENEWAL:** Chad Parker, Public Works Director, presented the American Recycling of NC-Jackson County Agreement to Recycle Commingled Containers and Residential Fiber. He requested the Commissioners take action to approve the contract for service from June 1, 2017 until December 31, 2018.

***Motion:*** Commissioner Mau moved to approve the contract with American Recycling, to expire December 31, 2018, as presented. Commissioner Luker seconded the Motion. Motion carried by unanimous vote.

**(14) PROPOSED BUDGET FY17-18:** Mr. Adams presented the Fiscal Year 2017-18 Annual Budget for the county was in the amount of \$62,522,670. The proposal would constitute an approximate decrease of 1.52% (\$968,846) under the FY16-17 amended budget. The budget was balanced and prepared in accordance with the Local Government Budget and Fiscal Control Act, presenting appropriations by categories of expense and revenues by source. All proposals within the document were based upon a budget maintaining the existing tax rate of \$0.37 per \$100 of value.

**(a) Expenditures Highlights:** The following illustrate the county's proposed "Total Expenditures by Function" for the General Fund - \$62,522,670:

- Education - 24%
- Other - 2%
- General Government - 17%
- Transportation - 1%
- Human Services – 25%
- Cultural/Recreation – 8%
- Public Safety – 21%
- Ec & Phy Dev – 2%

**(b) Personnel/Insurance:** The proposed FY17-18 budget contains personnel recommendations. The recommendations include:

- Career Path Reinstatements (Year 1 of 2 Year Plan)
- Hospital / Dental Insurance Adjustments
- Retiree Insurance Adjustments
- Worker's Compensation
- Minor position adjustments, additions & reductions

It was recommended that the county reinstate the career path program as recommended by a previously conducted salary study. The county had fallen behind approximately five years on the previously adopted plan. The reinstatement of the career path program should take place over a two year period. \$979,783 was budgeted to implement in the first year of the reinstatement plan.

Increased hospitalization/dental insurance premiums would cost an additional \$294,118. Retiree insurance costs would increase by \$98,658. Worker's compensation insurance would increase by \$13,696.

It was recommended that a Congregate Meals Manager position at the Department on Aging increase from 50% time to 62.5% time. A new Agriculture Agent position for Cooperative Extension was included in the proposed budget. It was proposed that this position be funded 80% by the State and 20% by the county. Due to the loss of grant funding, the Health Department would be losing one full-time and one half time Health Educator position. As previously approved by a prior Board, the Public Health Administrator I position would be moved from a Grade 28 to a Grade 31. Once approved by the State, a vacant LPN position Grade 18 would be reclassified to a PHNII at Grade 26.

**(c) Capital and Capital Improvements:** There were capital and capital improvement needs in the amount of \$1,470,900 that should be addressed in FY17-18. The recommendations were as follows:

- Equipment: \$792,902

Highlights under this category include computers, servers, printers, software, phone systems, office furniture and chairs, cleaning equipment, grounds maintenance equipment, recreation equipment, law enforcement personal protective equipment, emergency communication equipment and emergency tactical gear. Note: Voting machines were not included in the proposed budget. It was recommended that the Board of Elections go through their selection process and present a request with an implementation timeline when they were ready. It was also prudent to wait to see if the NC Legislature would provide grant funds for these new mandated machines.

- Vehicles: \$354,100. Highlights under this category include \$246,000 to replace vehicles at the Sheriff's Office, \$46,600 for an Emergency Management vehicle and \$61,500 for a transportation lift equipped vehicle (90% grant funded).

- Improvements - \$323,898. Highlights under this category include replacing locks at the jail, phased roof repair over jail, phased floor repair at DSS, DSS kitchen upgrade, batting cage at Mark Watson Park, campground paving and bathroom roof repair, fencing repairs/upgrades at MWP/Fairview/Cullowhee fields, general repairs at Sylva pool and general repairs at the Cullowhee Recreation Center.

**(d)** FY18-22 Facility Capital Improvement Plan: The proposed FY18-22 Facility Capital Improvement Plan sets aside \$12,000,000 for three major facility projects:

- Health Department
- Animal Shelter
- Justice Center Renovations.

It was anticipated that design work would begin on each of these projects in FY17-18 and for construction to be completed by the end of FY19-20. Note: The start of design work on the Health Department and Animal Shelter would be dependent on when a decision was made upon the location of these projects. The Plan also proposed additional facility expenditures for the Jackson County Public Schools and Southwestern Community College, as noted below.

**(e)** Board of Education:

- Current Expense: The Board of Education had been able to continue to provide quality education with level funding from the county for the past six years by making budget cuts, receiving Federal stimulus funds, acquiring a substantial amount of grant funds and utilizing their fund balance. It was proposed to allocate \$6,915,072 to the public schools for FY17-18. The proposal would constitute a \$135,590 or 2% increase.
- Capital: 40% of the Article 40 (½ cent) sales tax and 60% of the Article 42 (½ cent) sales tax went to public schools for capital. In FY17-18 the following items were to be funded:
  - Capital Outlay - \$235,000
  - Capital Outlay-Technology: \$400,000
  - Capital Outlay – One to One: \$320,700
  - Capital Outlay – Maintenance: \$375,500 – major increase due to roof maintenance
  - SMH Gym, Fine Arts Debt Service: \$857,317
  - QZAB Debt Service: \$600,000
  - Transfer to School Capital Reserve: \$131,755
  - Total: \$2,920,272

The proposed FY18-22 Facility Capital Improvement Plan made \$1,400,000 available for additional priority projects and \$1,000,000 available for athletic fields. There was also an additional \$2,913,785 unassigned in this same time frame available for other needs as approved by both the Jackson County Board of Commissioners and the Jackson County Board of Education.

**(f)** Southwestern Community College (SCC): It was proposed to allocate \$1,978,829 to SCC in current operations for FY17-18. The proposal would constitute a \$38,801 or 2% increase. The proposed general maintenance capital outlay appropriation was \$228,143, which was also a 2% increase. An additional appropriation of \$539,900 was provided to complete the maintenance building (\$225,000) and to build a new parking lot (\$314,900). The \$539,900 was funded by a fund balance appropriation.

Approval of the proposed FY18-22 Facility Capital Improvement Plan would authorize the construction of a 55,000 square foot Health Sciences Building at a total cost of \$19,844,294. Proposed funding for the project would come from Article 46 Sales Tax proceeds. The Plan also anticipated borrowing \$10,000,000 in FY18-19. Debt service payments would also be funded from Article 46 Sales Tax proceeds.

**(g)** Libraries: Fontana Regional Library System: It was proposed to allocate \$1,098,154 to the Fontana Regional Library System to operate both the Jackson County Library and the Albert Carlton Library. The proposal represented a \$21,532 or 2% increase.

**(h)** Other appropriations: There were many agencies that requested funds from the county. He divided the discussions into three categories:

- Safety – Fire, Forestry, Rescue, EMS: It was proposed that all Fire Departments, Forestry Service, Rescue Squads and EMS receive a 2% increase in allocation. Approximately \$14,511 of additional costs would be associated with Harris EMS, due to the previously approved schedule change. Funds were added to the fire protection budget to cover the debt service payment for the new Cullowhee Volunteer Fire Department building.
- Community Development Centers (CDC) and Non-Profits: It was proposed that Community Development Center funding to all 14 centers remain at current FY16-17 levels. It was proposed that funding for all non-profits remain at current FY16-17 levels. No new non-profit programs were recommended for funding in FY17-18 with one exception. It was proposed that \$85,000 be allocated to the Jackson County Homeless Program.
- Contingencies: A contingency of \$488,215 was established as well and a reserve for salary adjustments/ internships of \$25,000.

(i) Special Fund Highlights: These funds were separate operating entities from the general fund budget. The general fund budget included transfers to some of these other funds in the amount of \$7,636,577, to support capital projects, recreation and conservation, debt service, the green energy park, economic development, revaluation and school capital reserve. There were additional personnel and capital recommendations in the following summaries.

(j) Emergency Telephone (E911) Fund 22: The E911 FY17-18 proposed operating budget was \$444,694. This proposal would constitute an approximate decrease of 8.36% (\$40,548) under the current FY16-17 amended budget. These operations were funded completely through E911 fees. Employees within this Fund would have their career path reinstated, if applicable. There were no major operational changes proposed for FY17-18.

(k) Economic Development Fund 23: The FY17-18 proposed budget was \$150,909. This proposal would constitute an approximate decrease of 8.20% (\$13,478) under the current FY16-17 amended budget. Employees within this Fund would have their career path reinstated, if applicable. There were no major operational changes proposed for FY17-18.

(l) Real Property Revaluation Fund 25: The proposed FY17-18 revaluation operating budget was \$350,500. This proposal would constitute an approximate increase of 0% (\$0) over the current FY16-17 amended budget. Employees within this Fund would have their career path reinstated, if applicable. There were no major operational changes proposed for FY17-18.

(m) Solid Waste Enterprise Fund 65: The Solid Waste FY17-18 proposed operating budget was \$3,851,744. This proposal would constitute an approximate increase of 10.43% (\$363,795) over the current FY16-17 amended budget. This Enterprise Fund was funded completely from fees collected for services. Employees within this Fund would have their career path reinstated, if applicable. It was proposed to add both garbage and recycling containers near the Canada Fire Station Recreation Facility. There were no other major operational changes proposed for FY17-18.

(n) Green Energy Fund 66: The FY17-18 proposed budget was \$193,239. This proposal would constitute level funding from FY16-17. Employees within this Fund would have their career path reinstated, if applicable. A partnership with Western Carolina University was being formed to work on an updated operational master plan for this facility. There were no major operational changes proposed for FY17-18.

(o) Other Funds: This category included other funds such as the Capital Reserve Fund, School Capital Reserve Fund, Economic Development Funds (42 & 64), Community Development Fund, Law Enforcement Fund, Conservation Preservation Recreation Fund, Fire Tax Fund, Debt Service Fund, Airport Authority Fund and all active building funds.

(p) Closing: It was requested that a public hearing be scheduled for June 5<sup>th</sup>, in regards to the proposed budget. The public would be able to examine the proposed budget on the county's website and hard copies would be available for inspections at the Administration and Finance Departments. The budget was tentatively scheduled to be approved at the regularly scheduled June 19<sup>th</sup>, Commissioners' regular meeting, after the Board had an opportunity to make any final adjustments.

In closing, he extended his appreciation to all county employees who worked extremely hard to provide the necessary services that make Jackson County a great place to live. He also extended his thanks to the department heads, elected officials and other representatives for their cooperation in fashioning their budget requests to the required specifications and timelines. Last, but by no means least, he thanked Finance Director Darlene Fox and her staff for their tireless effort and attention to detail over the budget development process.

***Motion:*** *Commissioner Deitz moved to set a public hearing on June 5<sup>th</sup> at 5:50 p.m. to be held at the Justice & Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

**(15) MINORITY BUSINESS OUTREACH PLAN AND RESOLUTION (R17-08):**

Mr. Adams presented the Outreach Plan and Guidelines for Recruitment and Selection of Minority Businesses for Participation in Jackson County Building Construction or Repair Contracts. A public hearing was held prior to this meeting with no public comment.

***Motion:*** *Commissioner Mau moved to approve the Minority Business Outreach Plan and adopt Resolution R17-08, as presented. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

**(16) ABC BOARD CHAIRMAN:**

***Motion:*** *Commissioner Luker moved to reappoint David Noland as Chairman of the ABC Board, to serve a one-year term, expiring June 30, 2018 and confirm Mr. Noland's appointment to a three year appointment on the ABC Board, term expiring June 30, 2020. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

**(17) AGRICULTURAL ADVISORY BOARD:**

***Motion:*** *Commissioner Luker moved to reappoint Charles Fowler to serve another three year term on the Agricultural Advisory Board. Commissioner Deitz seconded the Motion. Motion carried by unanimous vote.*

**(18) HISTORIC PRESERVATION COMMISSION:**

***Motion:*** *Commissioner Deitz moved to reappoint Susan Leveille to serve another three year term on the Historic Preservation Commission. Commissioner Deitz seconded the Motion. Motion carried by unanimous vote.*

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

There being no further business, Commissioner Elders moved to adjourn the meeting. Commissioner Deitz seconded the Motion. Motion carried and the meeting adjourned at 7:37 p.m.

Attest:

Approved:

\_\_\_\_\_  
Angela M. Winchester, Clerk to Board

\_\_\_\_\_  
Brian Thomas McMahan, Chairman