

**MINUTES OF A  
REGULAR MEETING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
MARCH 19, 2018**

The Jackson County Board of Commissioners met in a Regular Session on March 19, 2018, 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) **AGENDA**: Commissioner Deitz moved to amend the Agenda by adding three items: (1) Additional Budget Ordinance Amendment; (2) Board of Education Capital Request; and (3) Board of Education Architectural/Engineering Contract Request. Commissioner Elders seconded the Motion. Motion carried.

(2) **MINUTES**: Commissioner Elders moved to approve the minutes of a Regular Meeting of March 05, 2018 and a Joint Meeting with The Town of Dillsboro of March 05, 2018. Commissioner Mau seconded the Motion. Motion carried.

(3) **CHAIRMAN'S REPORT**: Chairman McMahan offered his condolences to the family of Jerry Wolfe of the Eastern Band of Cherokee Indians. He had a profound impact on the region as a statesman and a member of the Eastern Band. He represented the Cherokee Nation in such a way that it would be difficult to find anyone to fill his shoes. He was never in his presence when he was not in awe of his words and wisdom. It was a great loss for the region.

Also, he offered his condolences to the family of Billy Crawford of the Balsam Community. Mr. Crawford was a WWII Veteran and donated the land for the Balsam Fire Department. He was a great man in the community.

(4) **COMMISSIONER REPORTS**:

(a) Commissioner Deitz stated he had the opportunity to go to Jerry Wolfe's memorial service as he knew him for several years. He was a Tribal Elder and wisdom came out of him. He was an awesome fellow.

(b) Commissioner Elders stated he attempted to learn to speak the Cherokee language years ago and Jerry Wolfe taught him a lot. He also did the brick work on the fireplace in his home. He was a great man. Also, he wanted to mention the meeting at the Fine Arts Building with the Schools. Those children did as good a job as he had heard. They were all outstanding.

(c) Commissioner Luker stated that the JCPS Superintendent, Board of Education Chairman and Smoky Mountain High School Principal should be so proud of the job they were doing. Their leadership, direction and guidance were what brought them the children that spoke at that meeting. He thanked them for having an interest in what the Commissioners were doing that evening.

Also, he knew Jerry Wolfe for many years and he was phenomenal. He also wanted to recognize a gentleman there that he had known for years, Haywood County Sheriff Greg Christopher. He had been a mentor to him for many years and he appreciated the guidance and support of the communities and surrounding communities.

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

(a) **Skyland Services Center Remodel:** A certificate of occupancy was issued for the Skyland Services Center on February 13, 2018, which constituted substantial completion. The contractor was scheduled to be complete with the punch list by the end of March. They were scheduled to move in the week of May 7<sup>th</sup> – 11<sup>th</sup>. A grand opening could be scheduled after the move was complete. NCDMV determined that they would be able to continue conducting motorcycle testing on the existing paved area. They would install a gravel parking lot in the adjacent lot without pavement. It was determined that the temporary corral system could be utilized on the adjacent lot. The corral system would be installed after the parking lot was installed.

(b) **Health Department/Code Enforcement/Planning:** McMillan/Pazden/Smith Architects met with and received initial feedback from Planning, Permitting/Code Enforcement and the Health Department. New schematics were created based upon initial meetings and feedback. The architects met with the team on Tuesday, February 27<sup>th</sup> to finalize details. A new design was now agreed upon. This new design, along with new cost estimates and a proposed architectural agreement, would be presented to the Board at the April 10<sup>th</sup> work session.

(c) **Courthouse Renovations:** The county issued a Request for Qualifications from architectural firms for planning and design of renovating two courtrooms, adding an additional courtroom and re-configuring the prisoner transport area. They received responses from five architectural firms. The selection process had been delayed until the Health Department/Code Enforcement /Planning programming had been approved.

(d) **CDBG Infrastructure Funds for Schools:** The county previously applied for \$284,270 in CDBG funds for water infrastructure needs at Blue Ridge School. The county was invited to apply for additional infrastructure funds for Blue Ridge School, if there was a need. The county applied for an additional \$763,140 to replace the 43 year old sewer treatment plant that served the school. The Division of Environmental Quality would decide on the grant application in April.

(e) **NCACC 2018 District Meetings:** The North Carolina Association of County Commissioners would be holding a district meeting at the Western Carolina University Ramsey Center on Thursday, April 26<sup>th</sup>. The meeting would begin at 5:30 pm. Dinner would be served.

**(f) Upcoming Meetings:**

Monday, April 2, 2018 – Regular Commissioner Meeting at 3:00 pm

Tuesday, April 10, 2018 – Commissioner Work Session at 1:00 pm

Monday, April 16, 2018 – “Brunch Bill” Public Hearing at 5:30 pm (Albert Carlton Library, Cashiers)

Monday, April 16, 2018 – Regular Commissioner Meeting at 6:00 pm (Albert Carlton Library, Cashiers)

**(6) INFORMAL COMMENTS BY THE PUBLIC:** Haywood County Sheriff Greg Christopher presented certificates appreciation to Sheriff Chip Hall, Lieutenant Scott Buttery and Detective Ryan Brooks for assisting Haywood County twice in the month of January with the Bearcat. He stated that they did a great job and it was good to have a partner so close.

Sheriff Hall stated he appreciated the good working relationship they had with Haywood County.

**(7) CONSENT AGENDA:**

(a) Darlene Fox, Finance Director, presented the Finance Report for February, 2018 and two Budget Ordinance Amendment for fiscal year ending June 30, 2018, for approval.

(b) Ms. Fox presented, Tax Collector and Refund Reports for February, 2018, for approval.

Chairman McMahan stated that the additional Budget Ordinance Amendment added to the agenda was for \$133,421 that would authorize the expenditure for the necessary equipment for additional School Resource Officers for the Sheriff's Office.

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

**(8) FAIRVIEW ELEMENTARY SCHOOL SCIENCE OLYMPIAD TEAM:**

Chairman McMahan stated that he received a request from the Science Olympiad Team at Fairview Elementary School for sponsorship from the county. The team won the regional competition and were going to the state competition in April. The team was looking to find sponsors for to help with the hotel cost.

James Crawford, 6<sup>th</sup> Grade Science Teacher, Fairview Elementary School, introduced members of the Science Olympiad Team. He stated that the students worked hard and were very dedicated to the team. He requested that the Board consider helping to fund the team for their hotel stay in Raleigh, where they would travel to for the competition.

***Motion:*** *Chairman McMahan moved to approve the request in the amount of \$3,000 to be taken from contingency. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

**(9) EMERGENCY MANAGEMENT COMMUNICATIONS LEASE:**

Todd Dillard, Emergency Management Director, stated this was a lease for a radio tower on Mount Lyn Lowry. They would be adding Jackson County Fire, Harris EMS and Balsam private repeaters to this site.

Ms. Baker stated WCQS already had a tower on the property and were handling the lease for the owners of the property. The owners offered the lease for \$1,000 per year and they would continue to pay the taxes and insurance on the property. She requested consideration of approval from the Board for the 6½ year lease at \$1,000 per year with a 3% annual increase and authorization for the Chairman to sign the lease.

***Motion:*** *Commissioner Luker moved to approve the Emergency Management Lease for a radio tower on Mount Lyn Lowry in the amount of \$1,000 per year and authorize the Chairman to sign the lease. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

**(10) WIRELESS COMMUNICATION CO-LOCATION FEES:**

Mr. Poston stated that Planning Staff recommended amending the fee schedule to change the fee required for wireless communications colocations. The proposed amendment would change the fee for wireless colocation from \$2,500 to \$1,000. The reason for the change was to be consistent with the state statute that limited the fee to \$1,000.

***Motion:*** *Commissioner Mau moved to approve the amendment to the fee schedule as presented. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

**(11) GREEN ENERGY PARK:** Mr. Adams stated that this was a follow up from a work session where there was a discussion and presentation from Western Carolina University (WCU) regarding the county going into a joint partnership with WCU and the Green Energy Park to look at building out a multi-use facility at the Green Energy Park Campus. The multi-use facility would include an innovation center, animal rescue center, potentially an outside dog park and maintaining and potentially enhancing the current Green Energy Park. The Board agreed to move forward in these discussions. He requested formal permission to start the process to rezone the property to include these governmental uses. Also, he was proceeding forward to obtain engineering estimates to create a master plan with more concrete cost estimates for the multi-use facility.

***Motion:*** Commissioner Elders moved to instruct the County Manager and Staff to proceed forward with the Town of Dillsboro to rezone the property. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.

**(12) BOARD OF EDUCATION CAPITAL REQUEST:** Chairman McMahan stated this was a request to authorize the public school system to move forward with capital purchases including camera equipment and monitors in the sum of \$400,000 that would come from the School Capital Reserve.

***Motion:*** Commissioner Luker moved to grant the request to authorize the Jackson County Public Schools to move forward with capital purchases regarding camera equipment and monitors in the sum of \$400,000 from the School Capital Reserve. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.

**(13) BOARD OF EDUCATION ARCHITECTURAL ENGINEERING CONTRACT REQUEST:** Chairman McMahan stated this was a request to authorize the public school system to move forward with contractual agreements with Cort Architectural Group to render necessary documents for on-site construction work at various school sites in the county, in the amount not to exceed \$27,000 from the School Capital Reserve.

***Motion:*** Commissioner Mau moved to authorize Jackson County Public Schools to proceed with the contract with Cort Architectural Group for design services for capital improvements related to school safety, not to exceed \$27,000 and authorize the Chairman to sign the contracts on behalf of the county. Commissioner Luker seconded the Motion. Motion carried by unanimous vote.

**(14) RESOLUTION DELEGATING AUTHORITY TO CHAIRMAN (CDBG) (R18-05):** Caroline Edmonds, Planner I, stated that the county participated in the Community Development Block Grant (CDBG) Scattered Site Housing Program administered by the North Carolina Division of Community Assistance to improve housing for low income individuals in the county. The CDBG Scattered Site Housing Program provides funding to enhance the vitality of communities by providing decent housing and suitable living environments for individuals. After the rehabilitation of a home, a loan was secured by a deed of trust and a promissory note establishing a lien on the property for a period of ten years after the recordation date. Ten years after the recordation date, the loan was forgiven and the county must record a satisfaction of security instrument to release the property from the lien.

The Planning Department received multiple request from property owners requesting a satisfaction of the lien. The process would run more efficiently for the CDBG participants if the Chairman of the Jackson County Commissioners was authorized to sign the satisfactions upon presentation of information from the Planning staff and County Attorney that the lien had been satisfied. She requested that the Board of Commissioners approve a resolution authorizing the Chairman to sign satisfaction of security instruments when appropriate.

**Motion:** *Commissioner Luker moved to adopt Resolution R18-05, Delegating Authority to the Chairman for satisfactions for CDBG liens. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

**(15) COUNCIL ON AGING:**

**Motion:** *Commissioner Luker moved to reappoint Ruth McConnell to the Council on Aging, term to expire March 16, 2021. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

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

**(17) CLOSED SESSION:**

**Motion:** *Commissioner Mau moved that the Board go into closed session pursuant to G.S.143-318.11(a)(6) Personnel for one item. Commissioner Luker seconded the Motion. Motion carried.*

Chairman McMahan called the regular meeting back to order and stated that no action was taken in closed session.

**(18) AGENDA:** Commissioner Mau moved to amend the agenda to add one item: Resignation Letter of Bobby McMahan, Tax Administrator. Commissioner Elders seconded the Motion. Motion carried.

**(19) RESIGNATION LETTER OF BOBBY MCMAHAN TAX ADMINISTRATOR:**

Chairman McMahan stated that the Board received a letter indicating that Mr. McMahan had been a county employee for 36 years, currently serving as the Tax Administrator and was requesting to retire effective July 1, 2018.

**Motion:** *Commissioner Deitz moved to accept the letter of resignation from Mr. McMahan and authorize staff to begin the process of hiring a new Tax Administrator. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

There being no further business, Commissioner Mau moved to adjourn the meeting. Commissioner Deitz seconded the Motion. Motion carried and the meeting adjourned at 8:02 p.m.

Attest:

Approved:

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Angela M. Winchester, Clerk to Board

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Brian Thomas McMahan, Chairman