

**MINUTES OF A
REGULAR MEETING
OF THE JACKSON COUNTY
BOARD OF COMMISSIONERS
HELD ON
JUNE 18, 2018**

The Jackson County Board of Commissioners met in a Regular Session on June 18, 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**: Chairman McMahan requested to add one item: Project Ordinance Amendment. Commissioner Mau moved to approve the amended agenda. Commissioner Deitz seconded the Motion. Motion carried.

(2) **MINUTES**: Commissioner Deitz moved to approve the minutes of a Budget Work Session of May 31, 2018; a Special Meeting of May 31, 2018; a Budget Work Session of June 1, 2018; a Public Hearing (Budget) of June 4, 2018; a Regular Meeting of June 4, 2018; a Budget Work Session of June 5, 2018; and a Reconvened Budget Work Session of June 11, 2018. Commissioner Mau seconded the Motion. Motion carried.

(3) **CHAIRMAN'S REPORT**: Chairman McMahan offered his condolences to the Belcher family. It was very sad to hear of Dr. David Belcher's passing on Sunday, it was a tremendous loss to the community. His legacy and impact on WCU and the community was immeasurable.

(4) **COMMISSIONER REPORTS**:

(a) Commissioner Deitz offered his condolences to the Belcher family. Also, the farmer's appreciation breakfast was very good and had about 75 people in attendance.

(b) Commissioner Elders also offered his condolences to the Belcher family.

(c) Commissioner Luker stated that Dr. Belcher was not only a chancellor, but a friend, an advocate and supporter of the community. He would be missed.

(d) Commissioner Mau offered his condolences to the Belcher family and stated the arrangements for the memorial service. He was an excellent chancellor and did lots of great things for the community.

Also, they were still working on the TWSA budget and would be finalizing that soon. The System Development Fees, formerly known as Impact Fees, would be reduced, but he did not know how much yet. Regarding the TDA, there were 34 pages dedicated to Jackson County in the new edition of Our State Magazine. Thanks to Nick Breedlove and all the folks that worked on that.

(5) COUNTY MANAGER REPORT: Mr. Adams announced two upcoming meetings:

- June 19th: NCDOT would hold a public forum regarding Monteith Gap Road Project at 5:00 p.m. at Cullowhee Baptist Church.
- June 25th: Cashiers Planning Council would hold a regular meeting regarding the upgrade of the crossroads at Highway 64/107 at 6:00 p.m.

(6) INFORMAL COMMENTS BY THE PUBLIC: Dr. Kim Elliott, Jackson County Public Schools Superintendent, stated that with her was Ken Henke, School Board Chair; Ali Laird-Large, Vice Chair; Margaret McRae, Board Member; and Jake Buchanan, Assistant Superintendent. She thanked the Board and stated her appreciation for everything they had done to help the school system improve and succeed. She did not remember a time when she had seen such great collaboration between two boards. It was so important to put safety first and both Boards had worked diligently to provide for the students in the area of safety. On behalf of the Board of Education, students and teachers, she thanked the Board of Commissioners.

(7) CONSENT AGENDA:

(a) Darlene Fox, Finance Director, presented the Finance Report for May, 2018, five Budget Ordinance Amendments and one Project Ordinance Amendment for fiscal year ending June 30, 2018, for approval.

(b) Brandi Henson, Tax Collector, presented the Tax Collector and Refund Reports for May, 2018, for approval.

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

(8) SOUTHWESTERN COMMISSION ANNUAL REPORT: Sarah Thompson, Executive Director, stated that once a year, she visited each of the County Commissions in the region to give an update and distribute the most recent annual report. The Southwestern Commission was the Council of Government (COGS) for Region A, which was the southwestern counties west of Haywood County and the 17 municipalities within. They had been around for 53 years, providing service in the region and were created in the mid-60s when federal programs that brought aid to the local communities were put into place. Regional organizations were determined to be the most efficient way to get those federal funds to the local level.

They ran three primary departments:

- Area Agency on Aging
- Community Economic Development Department
- Workforce Development Department

They raised their local funds through per capita dues, which the county paid \$0.75 per capita. The Commission also administered Mountain West Partnership, which had a board of directors comprised of the economic development directors from the seven western counties. Rich Price, Jackson County's Economic Development Director, was the Chairman of the Board.

Informational item.

(9) AUDIT CONTRACT: Ms. Fox, stated Dixon Hughes Goodman, LLC, submitted a contract for the audit period beginning July 1, 2017 and ending June 30, 2018. The audit fee was \$86,000 for preparation of financial statements and did reflect an increase from last year due to additional testing.

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

(10) HOUSING COMMITTEE RECOMMENDATION: Michael Poston, Planning Director stated that the Jackson County 2040 Land Use Plan recommended that the county create a committee to address the lack of affordable housing. The term affordable housing could be confusing as different groups use the term to describe several housing programs targeted at various income levels. While the federal government defines affordable housing as housing targeted towards those families making less than 80% of the county's median household income. For the purposes of their discussions they operated with the understanding that there was a need for affordable housing targeting several income levels.

The first goal in the Housing section of the land use plan was to increase housing opportunities for a broad range of income levels and ages. The first objective was to create a housing task force to begin addressing this issue. In preparation of creating a housing committee, staff from several departments researched and discussed the availability of housing in the county and the many different approaches to providing more housing opportunities for residents and workforce. The best practices discussed by the group were a part of a report titled "Best Practices for Affordable Housing" from the City of Asheville.

During the initial review of best practices, it was found that the county already engaged in reviews of rezonings (as necessary) and that the county reviewed and simplified ordinances as practical. There were several options that may not be the best practices for Jackson County, however, there were a few that staff would recommend as more immediate programs the county could implement to encourage more housing development. The first was to create a Housing Trust Fund that the county would designate funding that could be applied for by developers that meet the county's criteria. The county would have to adopt program guidelines in order to evaluate the requests to achieve the desired results. The second program was for the county to reserve land which could be properties currently owned by the county or purchased for housing development purposes. Under this program the county could partner with a developer or non-profit entity to create housing inventory targeting those segments that were underserved by the current housing stock.

The Planning Staff recommended that the Board of Commissioners create a formal Jackson County Housing Committee. It was further recommended that the Board appoint the following as the initial Committee membership:

- Jackson County Economic Development Director
- Jackson County Attorney
- Jackson County Planning Director
- Representative from Tuckaseigee Water and Sewer Authority
- Representative from Mountain Projects

The charge of the committee would be to develop and recommend housing programs that the county could implement to address the housing needs in communities. The initial task of the committee should include completion of a housing inventory survey, developing and recommending program criteria for a potential Housing Trust Fund and Land Reservation programs and to complete an Access to Fair Housing report to support the county's CDBG-I grant project.

Motion: Commissioner Deitz moved to create a Jackson County Housing Committee with initial membership to be comprised of the Economic Director; County Attorney; Planning Director; Representative from Tuckaseigee Water and Sewer; and Representative from Mountain Projects and with the initial charge as presented. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.

(11) OFFER TO PURCHASE - HALL: Ms. Baker stated that the county had received an Offer to Purchase for Lot 42, Waterdance, a vacant property (PIN #7566-45-4328) from James Hall in the amount of \$1,000. The property was obtained by the county through tax foreclosure and had a tax value of \$5,000. The county had \$10,000 in the property.

Mr. Hall stated he was not a realtor and was not looking to flip the property. He had previously served in the Air Force and was now a police officer at WCU. He was looking at the property as a place to one day raise his family.

Motion: *Commissioner Deitz moved to accept the offer and begin the upset bid process. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(12) CASHIERS SRC PERMIT RENEWAL WITH USFS: Ms. Baker stated this was a permit, not a lease with the USFS for the SRC site in Cashiers. Chad Parker, Solid Waste Director had requested a 20 year permit instead of five years and the USFS agreed. The current permit would not expire until the end of the year, but as soon as the 20 year permit was approved, it would go into effect.

Motion: *Commissioner Elders moved to approve the permit renewal for the Cashiers SRC with the USFS. Commissioner Deitz seconded the Motion. Motion carried by unanimous vote.*

(13) THOMAS VALLEY GROWERS, LLC: Mr. Adams stated that this was a follow up from a work session where Thomas Valley Growers, LLC presented information requesting written permission from the Board to add uses to the Drexel property.

He provided a proposed written permission letter allowing for additional uses for up to eight RV units for migrant labor housing. The letter was addressed to Thomas Valley Growers, LLC and contained the following:

“In accordance with the current Lease and Use Agreement between Jackson County and Thomas Valley Growers, LLC, written permission should be obtained from Jackson County to install these RVs. On June 18, 2018, the Jackson County Board of Commissioners voted to allow the installation of up to eight RVs so long as the following conditions are met:

1. No more than eight RV units will be placed onto the property.
2. No more than four persons per unit will be allowed to stay in the RVs.
3. The RV unit will be used on a temporary basis in any given year. As stated in your letter, temporary means they will only be occupied for around four months during the peak harvest season.
4. The RVs will be properly hooked up utilizing the extension of water, sewer and electrical infrastructure.
5. Thomas Valley Growers, LLC and all of its Members warrant that the installation and use of RVs as described above and in the request letter shall comply with all local, state and federal rules, codes and laws. This shall include, but not all inclusive, rules and laws as they relate to building codes, floodplain regulations, water and sewer connections to TWSA, archeological legal restrictions as identified by the Smoky Mountain Agricultural Development Station Master Plan and any state or federal labor laws as they relate to the housing of migrant labor. As stated in the current lease, Thomas Valley Growers, LLC agree to indemnify and hold harmless Jackson County from any and all claims, demands, suits or liabilities whatsoever by virtue of its use and occupancy of the premises. This indemnification extends to this new use”.

Motion: *Commissioner Elders moved to approve the request to allow the use and authorize the permission letter. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

(14) ENGINEERING AGREEMENT FOR GREEN ENERGY PARK CAMPUS MASTER PLAN: Mr. Adams stated this was an item from the work session and was a proposed agreement with WithersRavenel to provide engineering services to create a Green Energy Park Campus Master Plan. In part, the agreement stated:

- Anticipated Park Program: The county developed a preliminary park program to include, but not limited to:
 - Relocated recycling center
 - Animal rescue facility with dog runs
 - Organized land uses and access around artist studios

- Innovation Center for use by university level researchers
- Dog park
- Walking and bicycling trails
- Parking
- Compensation for Services:
 - Basic Services: \$44,420
 - Reimbursable Expenses: \$1,800

Motion: *Commissioner Luker moved to approve the Engineering Agreement for the Green Energy Park Campus Master Plan with WithersRavenel, as presented. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

(15) CITIZENS ACADEMY: Mr. Adams stated that the Citizens Academy would be held for eight weeks beginning on September 11th and ending on October 30th. Each session would be held weekly on Tuesday from 5:30 to 8:30. The week of October 1st, there would be a class on Tuesday and Thursday to allow a session on Education, which would cover Jackson County Public Schools and Southwestern Community College. The sessions would be held in various county locations.

Informational item.

(16) NCACC ANNUAL CONFERENCE VOTING DELEGATE: Mr. Adams requested that the Commissioners look at their calendars to see if they would be able to attend the conference on August 23-25, in Catawba County. He would place the item on the next work session for further discussion.

Informational item.

(17) JULY MEETING SCHEDULE:

Motion: *Commissioner Mau moved to cancel the July 2nd Regular Commissioners' Meeting and change the July 16th Regular Commissioners' Meeting time to 3:00 p.m. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(18) FY2018-19 BUDGET ORDINANCE: Mr. Adams presented the FY2018-19 Budget Ordinance.

The budget total was \$71,671,374. The tax rate increased to \$0.38 per \$100 valuation of property listed for taxes as of January 1, 2018. The Cashiers Fire District rate remained unchanged at \$0.0233 per \$100 valuation of the Cashiers Fire District. The Highlands Fire District rate remained unchanged at \$0.0254 per \$100 valuation of the Highlands Fire District. A public hearing was held on June 4th with no public comment.

Chairman McMahan stated that he appreciated Mr. Adams, Ms. Fox and staff for all of their work on the budget process. Also, he knew this required a tax increase of one cent and no one on the Board took that lightly, but they recognized the significant impact on the community and the need to protect the students and he supported moving forward with the budget.

Motion: *Chairman McMahan moved to adopt the FY2018-19 Budget Ordinance, along with all fee schedules, as presented. Commissioner Luker seconded the Motion. Motion carried by unanimous vote.*

(19) PAY POLICIES FOR FY19: Mr. Adams stated that this item had been previously presented to the Board and no changes had been made since that time. The policy allowed the County Manager, Human Resource Director and Finance Officer to work with department heads when recruiting new employees and empowered them, based on the Career Path Policy, to hire up to 12 years of experience. The policy only remained in effect as long as the county was able to continue the Career Path implementation.

Motion: *Commissioner Luker moved to adopt the Pay Policies for FY19, as presented. Commissioner Mau seconded the Motion. Motion carried by unanimous vote.*

(20) ABC BOARD CHAIRMAN:

Motion: *Commissioner Luker moved to reappoint David Noland as Chairman of the ABC Board, to serve another one-year term, expiring June 30, 2019. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(21) CULLOWHEE PLANNING COUNCIL:

Motion: *Commissioner Mau moved to appoint Aaron Littlefield to serve an unexpired term on the Cullowhee Planning Council, term to expire December 31, 2018. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(22) COMMUNITY ADVISORY COMMITTEE FOR LONG TERM CARE:

Motion: *Commissioner Deitz moved to reappoint Charles Easton serve another three year term on the Community Advisory Committee for Long Term Care, term to expire July 7, 2021. Commissioner Elders seconded the Motion. Motion carried by unanimous vote.*

(23) PRESS CONFERENCE: None.

There being no further business, Commissioner Elders moved to adjourn the meeting. Commissioner Mau seconded the Motion. Motion carried and the meeting adjourned at 7:18 p.m.

Attest:

Approved:

Angela M. Winchester, Clerk to Board

Brian Thomas McMahan, Chairman