

**MINUTES OF A JOINT MEETING OF  
THE COUNTY OF JACKSON, TOWN OF DILLSBORO,  
TOWN OF SYLVA, TOWN OF WEBSTER AND  
VILLAGE OF FOREST HILLS  
HELD ON JULY 23, 2019**

The Jackson County Board of Commissioners met in a Joint Meeting with the Town of Sylva, Town of Dillsboro, Town of Webster, and Village of Forest Hills on July 23, 2019, 6:00 p.m., at the Department on Aging Center, Heritage Dining Room, 100 County Services Road, Sylva, North Carolina.

County Board of Commissioners

Brian McMahan, Chairman  
Boyce Deitz, Vice Chair  
Ron Mau, Commissioner  
Gayle Woody, Commissioner  
Don Adams, County Manager  
Heather C. Baker, County Attorney  
Angela M. Winchester, Clerk

Town of Sylva

Lynda Sossamon, Mayor  
Barbara Hamilton, Vice Mayor  
Mary Gelbaugh, Commissioner  
David Nestler, Commissioner  
Greg McPherson, Commissioner  
Paige Dowling, Town Manager

Town of Dillsboro

Mike Fitzgerald, Mayor  
David Jones, Vice Mayor  
Tim Hall, Alderperson  
Tim Parris, Alderperson  
Beauford Riddle, Alderperson  
Debbie Coffey, Clerk

Town of Webster

Tracy Rodes, Mayor  
Billie Jo Bryson, Commissioner  
Alan Grant, Commissioner  
Kelly Donaldson, Commissioner  
Debbie Coffey, Clerk

Village of Forest Hills

Kolleen Begley, Mayor  
Clark Corwin, Mayor Pro Tempore  
Niall Michelsen, Councilmember  
Jonathan Brooks, Councilmember  
Jerry Rice, III, Councilmember

County Vice Chair Deitz welcomed everyone and stated that the joint meetings were very important as they were all striving to do the same, which was to make the county and towns as good as possible. The purpose of the meeting was to help them work closer together as a team toward the same goal.

County Vice Chair Deitz called the meeting of the Jackson County Board of Commissioners to order. He recognized Commissioner Mau and Commissioner Woody in attendance. Chairman McMahan would join the meeting later.

The Town of Sylva Mayor Lynda Sossamon introduced Vice Mayor Barbara Hamilton, Commissioner Mary Gelbaugh, Commissioner David Nestler, Commissioner Greg McPherson and Paige Dowling, Town Manager. Mayor Sossamon called the meeting of the Sylva Town Board to order.

The Town of Dillsboro Mayor Mike Fitzgerald introduced Vice Mayor David Jones, Alderperson Tim Hall, Alderperson Beauford Riddle, Alderperson Tim Parris and Debbie Coffey, Town Clerk. Mayor Fitzgerald called the meeting of the Dillsboro Town Board to order.

The Town of Webster Mayor Tracy Rodes introduced Commissioner Billie Jo Bryson, Commissioner Alan Grant, Commissioner Kelly Donaldson and Debbie Coffey, Town Clerk. Mayor Rodes called the meeting of the Town of Webster to order.

The Village of Forest Hills Mayor Kolleen Begley introduced Mayor Pro Tempore Clark Corwin, Councilmember Niall Michelsen, Councilmember Jonathan Brooks and Councilmember Jerry Rice. Mayor Begley called the meeting of the Village of Forest Hills to order.

Mr. Adams stated that one of the purposes of the meeting was for information to be presented to the boards. He invited Brian Burch from NCDOT to present available information to the elected officials and to give them access to Mr. Burch.

**(1) NC HIGHWAY 107 PROJECT:** Brian C. Burch, PE Division 14 Engineer and Josh Deyton, PE Division 14 Project Team Lead, were present for this item

Mr. Burch presented: Meeting of Jackson County Governmental Units R-5600 NC107:

**(a) History:**

- 2008 - Improvements to existing NC 107 identified as a need
- 2010 Upgrades to NC 107 and US 23 Business included in Jackson CTP
- 2011 Feasibility Study of the Corridor completed
- 2012 SWRPO NC 107 Corridor Study completed
- 2012 NCDOT and SWRPO Ranks NC 107 as a funding priority
- Project included in the 2013-2023 STIP
- February 23, 2017 Public Workshop held at SWCC

**(b) Project Purpose:**

- Relieve congestion, mobility, safety
- 2014 ADT – 32,400 vpd
- 2035 Projected ADT – 39,200
- Posted speed limit – 35 MPH
- 5 year crash history – 254 crashes
- 25 walls to reduce impacts

**(c) Public Workshop:**

- 4 alternatives presented to the public
- Alternative 2A was selected – complete street with conventional intersections
- 12' Travel Lanes, 17'-6" grass median, 5' bike lanes, 5' sidewalks

**(d) Asheville Design Center Review:**

- Services requested by Town of Sylva - August 2018
- First community meeting – January 14, 2019
- Utilities meeting – February 18, 2019
- Public workshop – March 21, 2019
- Public workshop – April 17, 2019
- No recommendations to alter cross section
- Pedestrian crossing recommendations
- Signing/pavement marking – crosswalks/green skip stripes
- Vertical traffic calming elements – reconfiguring islands, raised and textured crosswalks, adding/extending islands

**(e) Right of way impacts and estimates:**

- Estimated 186 parcels
- 5 residential relocations
- 39 business relocations
- 30 sign relocations
- Total estimated costs - \$49.7 million
- This was an estimate and did not account for utilities

**(f) Construction impacts and estimates**

- Estimated 3.5 years of construction
- Night work required
- Construction traffic management report completed in 2015
- Communications plan would be developed
- Total estimated costs - \$40 million
- This was an estimate and does not account for utilities

(g) Current status:

- Roadway design plans at 65%
- Utility plans – being reviewed/adjusted
- Right of way acquisition starts – 1/6/2020
- Construction Let date – 12/20/2022

Mr. Burch opened the floor for questions.

Commissioner McPherson asked how the dollar amount for right of way was calculated?

Mr. Burch stated that it went through the Right of Way and Relocation Office. They went through the parcels and gave an estimate. If it was more than \$25,000, an appraisal was required and they had to offer the appraised value. If the property owner was not willing to settle for that amount, they could go through the condemnation process.

Commissioner Gelbaugh stated that the goal was to continue business on 107. Did he feel that DOT was going to take measures to ensure that the businesses were going to be able to function?

Mr. Burch stated they would be doing most of the work at night. They would keep access to the businesses and would work with the contractors and property owners.

Commissioner Gelbaugh asked about the process of businesses relocating.

Mr. Burch stated that if they were eligible for relocation, they would work with an acquisition agent and a relocating agent. They would offer assistance and payment to relocate. They worked with the property owners and tenants.

A citizen in attendance asked if they were looking to place any of the utilities underground.

Mr. Burch stated they looked at that initially, but the cost exceeded the budget and it was not a feasible alternative.

A citizen in attendance asked when would the relocation agent begin talking with the business owners?

Mr. Burch stated that typically, they would identify the business for relocation. If they started right of way in January, they would likely be notified in January.

Commissioner Gelbaugh asked if there was a list of the 39 business relocations?

Mr. Deyton stated that he did not know if there was an actual list. It was public information if they received a request for it.

Mr. Burch stated they were concerned because utilities were not on there yet and things could change.

Mr. Adams asked if there was a timeline on the utility plans?

Mr. Burch stated that they had received the Duke plans in the last few weeks. Once they got them nailed down, then they could get the drainage plans and other utilities on there. It would be a push between then and January, but they had met the schedule so far.

Mr. Adams stated asked if it was fair to say the 39 was not going to change? The only impacts that would happen would be additional?

Mr. Burch stated that was correct.

Mayor Sossamon inquired about the replacement bridge project B5905.

Mr. Burch stated that the project had been awarded to Wright Brothers Construction and was expected to start September – October.

Commissioner Deitz stated they had lots of rain recently and a lot of people were concerned about erosion in the river. It was a terrible problem in Scotts Creek. What part did DOT play in that or help with it?

Mr. Burch stated if they had any disturbed ground, it would impact the stream. Erosion control measures were for a ten year storm and a lot of the storm events were exceeding that. They also had unpaved roads and those were a continual source of sediment in the waters. They could not pave those roads until property owners donated right of way.

Commissioner Woody stated that several residents in Cashiers were concerned about Frank Allen Road.

Mr. Burch stated that it was a unique and difficult situation. Pipes went under the road and would carry a certain level of storm. The problem was the sediment that filled the pond and the lake and they continued to lose capacity. The dam was higher than the road, so as long as they had those issues, they would have flooding.

Commissioner Woody asked if the road could be built up?

Mr. Burch stated they had looked at that, but one thing they had to be concerned about was “No Rise Certifications”, which meant the water flowing through the facility had to function the same upstream as well when they finished the project.

*Informational item.*

**(2) NC 107 RESOURCE COMMITTEE:** Rich Price, County Economic Development Director, stated that he started having conversations with Ms. Dowling and Julie Spiro, Executive Director of the Chamber and they agreed to put together a resource team to start talking about asking the right questions about the NC 107 Project and how could they potentially develop a resource kit for businesses that may be impacted moderately to relocation. Working with the same information the public had, they worked under the assumption that the project would move forward.

They identified who they thought would be pertinent and primary resources to assist once they learned more about the impacts:

- Tiffany Henry, Director of the Small Business Center at SCC
- Sandra Dennison, Director of the Small Business and Technology Center at WCU
- Rose Bauguess, Southwestern RPO Planner, Southwestern Commission
- Michael Poston, Director Jackson County Planning
- John Jeleniewski, Senior Planner, Jackson County Planning
- Dan Harbaugh, Executive Director TWSA
- Debbie Coffey, Representative of the Town of Dillsboro
- Heather Baker, County Attorney

They started by asking questions, relative to the project and answered those as best they could with limited information, such as impacts that may be experienced along the corridor. They tried to identify and determine potential financial resources that may be available for businesses that may have to relocate or experience a significant reduction or loss of business. The Small Business Center at SCC and the Small Business Technology Center at WCU would be the primary go-to resources. It was very important for the business community to reach out to those offices because the information and counsel they provided on a daily basis was paramount.

They also wanted to maintain and provide information on the availability of buildings or sites that would allow businesses to relocate. Also, there was a possibility of legal resources, if that was needed. It was important for them to wait until there was a high degree of confidence to identify the businesses, what the impacts were and how they would establish a plan for the business centers and his office to communicate with those businesses and offer them resources.

Mr. Price asked if there were any questions.

A citizen in attendance asked if there would be access to legal help for issues tenants or business owners might have?

Ms. Baker stated that they were hoping that Legal Aid would put on a workshop with general tips and information with a list of attorneys that would be willing to help.

*Informational item.*

**(3) CULLOWHEE DAM STUDY:** Dan Harbaugh, Tuckaseegee Water and Sewer Authority Executive Director, presented: Cullowhee Dam Study – Next Steps:

- (a) Cullowhee Dam History:**
  - Flour mill and power
  - Original dam – log washed out 1926 and 1928
  - 1929 new power plant and concrete dam
  - 1940 plant flooded, not rebuilt
  - WCU and TWSA raw water supply pool
- (b) Water supply info:**
  - Drainage basin
  - Cyclical flows
- (c) Cullowhee Dam impounds raw water supply for WCU and TWSA:**
  - WCU System:
    - 1.0 MGD cap
    - Average Day +/- 30% cap
    - Serves WCU Campus only
  - TWSA System:
    - 1.5 MGD cap
    - Average day +/- 81% cap
    - Serves county, Webster, Dillsboro, Sylva
- (d) Initial Study – July 2017**
  - Focus on dam structure
  - Identified options and costs
  - Discuss future water needs and options
  - Stakeholders discussions, CURVE, JC Recreation Department
- (e) Supplemental Study – March 2019**
  - Partnership expanded – American Rivers
  - Focus on dam removal
  - Reviews feasibility of option
  - Identifies a proposed solution
  - Published with questions and concerns
- (f) Cullowhee Dam Study – risk benefit analysis:**

<u>Areas of Responsibility</u>	<u>Do nothing to Dam</u>	<u>Dam Stabilization</u>	<u>Dam Stabilization Improvements</u>	<u>Dam Removal</u>
Water Supply	Negative Impact	Positive Impact	Positive Impact	Undetermined Impact
Dam Structure	Negative Impact	Positive Impact	Positive Impact	Positive Impact
Community Benefits	Negative Impact	Negative Impact	Undetermined Impact	Undetermined Impact
Ecosystem Benefits	Negative Impact	Negative Impact	Undetermined Impact	Undetermined Impact
	<i>Not Viable</i>	<i>Viable</i>	<i>Viable with Partners</i>	<i>Viability Unknown</i>

(g) Risk / benefit analysis of options:

- Areas of responsibility: Underlying areas of focus.
- Water Supply: Regulatory issues, stream flows, channel configuration, intake designs and hazard mitigation, source water planning, merger/reg. study.
- Dam structure: Short term and long term stabilization; plan for inspections, repairs and future renovations.
- Community benefits: Study current benefits of dam and landing site, reach consensus on best stream uses, firm up greenway planning.
- Ecosystem benefits: Study current benefits of pool and riparian areas, perform additional study of sensitive species and impact of dam improvements versus dam removal.

(h) Next steps:

- WCU / TWSA / American Rivers staff continued to address work list. Work in progress included:
  - TWSA coordinating meeting with NCDEQ – Public Water Supply and Duke Energy regarding regulatory impacts.
  - American Rivers working to scope field services for validating river flows and determining stream bed configuration if dam removed.
  - WCU monitoring dam conditions and addressing any short term needs.
  - All working on scope of services for schematic design needed to validate dam removal option.
- Partnership between WCU, TWSA and American Rivers would continue until endpoint was reached.
- Outcome of the additional study efforts would result in a recommendation on viability of dam removal versus dam stabilization, with or without improvements.
- Outcome would be shared with all impacted entities for review and comment before final decision was made.

Mr. Harbaugh asked if there were any questions.

Commissioner Deitz asked if with FERC, was there a minimum flow of water they had to always have in the river?

Mr. Harbaugh stated that under the FERC licenses, there were minimum flows that were prescribed, but they were not driven by the water supply needs of WCU and TWSA.

Commissioner Nestler asked about the ecological impact in the stream?

Mr. Harbaugh stated that the benefits that could be derived were primarily upstream migration of life was not validated as to whether that would occur if the dam was removed or if that could be achieved with the stabilization of the dam. They needed more information to determine. Also, the existing pool had created an environment of its own. There were impacts both ways.

A citizen in attendance asked to talk more about the risk analysis study and how it was derived. Was it from TWSA only or did they reach out to any scientists or engineers?

Mr. Harbaugh stated they worked on it with WCU and American Rivers. They did not go out further. TWSA and WCU's fiduciary responsibility was public water supply, but they said what else was important to the community. He did not think they had left anything out, but he did not think they had answered all of the questions.

Mr. Parris asked if the study would allow for future growth for WCU?

Mr. Harbaugh stated that as growth increased, they would refresh projections. They had discussions that everyone agreed that if the dam was removed, it could not go back. They had to make the right decision the first time that was why they were trying to be careful in meeting their responsibilities and with the community as a whole.

*Informational item.*

**(4) COUNTY INTERLOCAL AGREEMENTS WITH MUNICIPALITIES TO PROVIDE GOVERNMENTAL SERVICES:** Michael Poston, County Planning Director, stated the county had interlocal with all four municipalities to provide building inspection services, erosion control, ordinance administration and depending on the jurisdiction, they offered different services between the ordinances adopted by municipalities over the years. They also administered all four zoning codes for each jurisdiction. In the next weeks, the proposed Unified Development Ordinance would be considered for adoption by the County Commissioners, which led them to look at all of the interlocal agreements, as the language would have to be changed.

They had worked with the Ms. Baker and each municipality regarding modernizing and updating the language in the agreements. They had also added sections that may offer more possibilities to offer services to the municipalities. One change they would see was regarding GIS service, which was already offered, but had not been documented before. Another service requested to be added was for the county to consider providing planning services, such as limited scale studies or ordinance amendments and development assistance. A section was added for the county to consider a scope of work to provide some smaller planning services based on what they had the ability to accomplish. They also added a consolidated General Conditions section and a Conflict of Interest statement.

*Informational item.*

**(5) 2020 CENSUS:** Mr. Poston presented: 2020 Census:

**(a)** Census Basics – Data:

- The U.S. Constitution mandates that everyone in the country be counted every 10 years. The first Census was conducted in 1790.
- The purpose was to count every living person in the U.S. once and in the right place.
- 2020 would be the first Census that people would be able to respond to the Census online.
- Census data helps inform important decisions about funding in the community for services and infrastructure including:
  - Healthcare
  - Senior Centers
  - Jobs
  - Political Representation
  - Roads
  - Schools
  - Businesses
  - Urban Planning/Land Use
  - Planning for future governmental services

**(b)** Census Basics:

- Census responses were safe and secure! Data and records were not released for 72 years.
  - Census Bureau staff take a lifetime oath to protect personal information. Any violation results in a penalty of up to \$250,000 and/or up to 5 years in prison.
  - By law, your responses cannot be used against you!

- \$675 billion in federal funding flows back to states and local communities each year based on census data.
    - Counties receive approximately \$1600 per person counted in the Census! (George Washington University study)
- (c) Complete Count Committee:
- The Planning Department was organizing a Complete Count Committee.
  - Planning Department staff would organize Census activities (education and outreach), with the cooperation of the municipalities and community stakeholders.
  - Communities were able to establish their own Complete Count Committees, if desired.
- (d) Census Participation:
- In 2000, Jackson County's response rate was 48% (NC 69%).
  - In 2010, Jackson County's response rate was 70% (NC 76%).
  - In 2010, Jackson was tied for the lowest response rate in the region.
  - Goal for 2020 Census was 100% (80% would be an improvement).
- (e) Timeline:
- August- September, 2019: Staff begin planning process
    - Meet with stakeholders regarding process and procedures
  - October, 2019- January, 2020: Community information sessions
    - Business owners, community organizations, churches, etc.
  - January, 2020: Begin implementing local Census marketing campaign.
  - March 12, 2020: Public receive invitation in mail to respond
  - Census Day was April 1, 2020: Respond online, by mail or by phone.
    - If response was not received by April 27, the Census Bureau would follow up in person.
- (f) Next Steps:
- Educating and raising awareness
    - Meeting with municipal representatives and community partners
    - Meeting with community groups and stakeholders (education and outreach)
    - Develop marketing strategies
    - Implementation

*Informational item.*

**(6) MUNICIPALITY UPDATES:**

(a) Town of Sylva: Mayor Sossamon stated that the project with DOT for the much needed sidewalk going down Skyland Drive was delayed because of more roadway acquisition. They looked forward to that being finished because that was a dangerous stretch of road.

Also, along with the county and EBCI, they were looking forward to the conservation agreement to conserve nearly 1,000 acres above Pinnacle Park, which should be happening in the next month or two. There was a nice article that Commissioner Nestler was a part of in an Air B&B magazine that touted how wonderful Sylva was, they appreciated that.

(b) Mayor Fitzgerald stated he had no updates at that time.

(c) Town of Webster: Mayor Rodes thanked the county for the municipal grant. They put it to good use in the community and had a work day at the Veterans' Monument area. Also, they put in a proposal for a pocket park that in the area surrounding the softball field to the Jackson County Recreation Department and they were hopeful to see that in the near future.

She thanked Mr. Poston for assistance with their land use planning. Also, they had a recent increase in complaints about speeding traffic and a general increase in traffic on North and South River Roads. In conjunction with Highway 107, she believed they would have more increased traffic. They may need the county's support in planning for that. She had already requested that DOT look at the shoulder conditions.



(d) Village of Forest Hills: Mayor Begley stated that the first and second phase of the development that was under construction in their ETJ was slated for completion by fall. The developer had offered the bottom floor of the assembly building as a community center and a permanent meeting space for Forest Hills, at no cost to the taxpayers. In this development, there were student housing cottages and single family residential options. In addition, about one-fifth of the development would be open green space, which was offered for community use with no expense to taxpayers to maintain. Some of the future uses included the farmer's market, local community social events and a walking destination and a stage for a project. The project was called the Litter Letter Project to create awareness and care for the local community. They had been growing their roadside litter cleanup event that they did twice a year and had a goal of making it bigger each year.

After the county held the opioid awareness forum last year, they were inspired to hold home and personal safety forums with speakers from different viewpoints and had a great resident turnout. They had also been actively working on a goal to become a more walkable friendly community. There were new sidewalks going in along the crossroads of the development and they were currently working with DOT engineering to apply for an experimental installation of a pedestrian advisory shoulder. Their Planning Board was looking into grant opportunities to build further trails for further walkability and more green space.

(e) Jackson County: Chairman McMahan stated that they did host an opioid forum a year ago and they were currently working with the Jackson County Community Foundation to bring about Opioid Awareness Month in September. There would be a host of events take place through a campaign effort, including a roundtable forum at WCU in October. This would be a dynamic program to involve the community, continue the dialog and make a difference in the lives of the people in the county.

Commissioner Woody stated the county was taking on the effort to promote a litter campaign. Instead of twice a year, they wanted an ongoing effort throughout the county. She requested that each municipality engage their communities in an effort to pick up trash and do some kind of initiative.

*Informational item.*

There being no further business, Commissioner Mau moved to adjourn the meeting. Chairman McMahan seconded the Motion. Motion carried and the meeting adjourned at 7:47 p.m.

Attest:

Approved:

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Angela M. Winchester, Clerk  
Jackson County Board of Commissioners

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Brian Thomas McMahan, Chairman  
Jackson County Board of Commissioners